





BOARD SUMMARY REPORT

Date: February 25, 2020

To: Arapahoe County Board of County Commissioners

Through: Bryan Weimer, Director 
Public Works and Development

From: James Katzer, Division Manager 
Public Works and Development – Transportation Division

Subject: **TEMPORARY NO PARKING ORDINANCE**

Request and Recommendation:

The purpose of this report is to request direction from the Board on the creation of a Temporary No Parking Ordinance by the Board of County Commissioners that can be implemented to assist in the maintenance and construction of transportation related infrastructure within the ROW.

Background:

Yearly maintenance of the Arapahoe County transportation infrastructure is critical in keeping the roads safe and in an operable condition. Maintenance strategies also implement best practices over the life of an asset reducing the life cycle cost saving the County money while at the same time providing a higher level of service.

Annual maintenance projects require many steps to be completed to ensure that the projects are completed in a quality manner, on time, and on budget. The construction of these annual maintenance projects often have challenges that occur during the construction phase. The particular issue that the ordinance would be intended to address is parked vehicles that obstruct the work zone and prevent access to the construction site. The ordinance would allow the County to designate temporary no-parking zones at those street locations where road work is to be performed. The period of time for the no parking restriction would be relatively short in duration and tied to the time needed for the project. Similarly, the extent of the no-parking zone would be based on what was needed for construction and would not generally require extensive closures.

Over the years, removing obstructions have been addressed in many different ways with limited and mixed success. The measures deployed to prevent the problem have been extensive and have included public notifications, marking work zones with no parking signs, and knocking on doors. Although, these means are effective in reducing incidents, they have not eliminated parked vehicles in the construction zones. The number of instances that this occurs ranges per construction season, but 4 to 10 times a year would be typical. With each of these occurrences, the construction of the project is delayed costing the County money and inefficiencies.

The obstruction of the construction site presents another problem and exposes the County to some risk, which is how best to clear the obstruction from the work site. This has been handled in various ways in

the past with a varying degree of success. Under existing law, the Sheriff has authority to order that a vehicle that is parked in such a manner as to constitute a safety hazard or an obstruction to road maintenance be moved. CRS 42-4-1803(2). However, unless the section of street is formally established as a no parking zone, this statutory authority does not specifically authorize the issuance of a parking citation or allow for towing and impounding of the vehicle. This effort usually involves the Sheriff's Office and has resulted in towing vehicles to some other out of the way location nearby with some of the towing being at the County's expense.

After several meetings, Public Works and Development in conjunction with the Sheriff's Office and the County Attorney have formulated a solution to allow for the establishment of temporary no-parking zones that could be set up when needed for road projects. This temporary no parking authority would have to be authorized by the Board pursuant to a County ordinance.

The creation of a Temporary No Parking Standard Operating Procedure (SOP) was the initial step. The SOP was drafted at the beginning of the 2019 construction season and was adhered to and adjusted throughout the construction season, and applied pursuant to the authority of the sheriff to order that an obstructing vehicle be moved. Using the SOP, though without the citation or tow and impound enforcement tools, has produced more consistent results when compared to past construction seasons. The SOP defines how to establish a Temporary No Parking Zone, how to notify the public of such a zone, and how to remove obstructions in the zone.

Links to Align Arapahoe

Quality of Life

The Ordinance will allow the County to continue in maintaining the County's transportation infrastructure which in turn will maintain the quality of life of the users of the infrastructure.

Fiscally Responsible

The implementation of a Temporary No Parking Zone will allow the County a consistent procedure in removing obstructions from the construction zones allow work to be performed as planned reducing the need to increase costs due to delays. The Ordinance will also allow the costs incurred to move obstructions to be borne by the violator and not the County. The costs for each of these instance vary and can range from a relocation tow cost (approximately \$95) to the cost of delayed construction (\$1,200 per hour).

Service First

The Ordinance in conjunction with the SOP will provide a high level of customer service by having a consistent process and by implementing a process that has a high level of public notification.

Discussion:

If approved by the Board of County Commissioners, the Temporary No Parking Ordinance will allow the County and the County's contractor perform important maintenance work on the County's transportation infrastructure. The Ordinance will allow for a consistent method for informing the public of parking restrictions and for removing obstacles within the Temporary No Parking zones. The Ordinance and the Standard Operating Procedure also defines the roles that Public Works and Development Department and the Sheriff's Office are responsible for which allows for the completion of the work now and into the future and in different areas of the County.

Alternatives

In an effort to solve the problem other options have been considered:

1. Continue with the authority under CRS 42-4-1803(2) for the Sheriff or Deputy Sheriff to order that the vehicle "be moved," but this does not have the enforcement tools of a formal no parking requirement through an ordinance.
2. The Board has authority to close a road for a limited period of time for road projects and the Board has delegated to the Director of Public Works the authority to close a road for up to 20 days. However, staff sees this temporary no parking as a measure with less impact than a road closure.
3. Adopt a Temporary No Parking Ordinance to designate temporary no parking zones as needed for such road projects.

Fiscal Impact

The County incurs cost to move a vehicle which costs are generally not recoverable from the vehicle owner, but could be through the tow and impound of the vehicle.

Concurrence:

The Transportation Division, the Road and Bridge Division and the Sheriff's Office have recommended that the Temporary No Parking Ordinance be created. The County Attorney's office has researched the County's statutory authority and believes the Board has the authority to adopt such an ordinance.

Attorney Comments:

County legal staff have reviewed this Board Summary Report and has no comments.

Reviewed by:

Bryan Weimer, Director of Public Works and Development
Robert Hill, Assistant County Attorney
Darren Gammel, Patrol Sergeant Sheriff's Office

Actions Requested:

1. Authorization by the Board of County Commissioners to proceed with the creating of a Temporary No Parking Ordinance in the best interest of the public.

cc:	Email	Hard Copy
	Bryan Weimer, PWD Director	C20-012
	Ron Carl, Arapahoe County Attorney	Rhonda Robinson, Budget Analyst
	Robert Hill, Assistant County Attorney	File
	James Katzer, Transportation Div. Manager	
	Cathleen Valencia, CIP Program Manager	
	Kim Lynch, Administration	
	Darren Gammel, Patrol Sergeant	
	Scan to Files (Listed under hard copy)	