



Thomas A. Golden, Jr.
City Manager

April 4, 2023

Mayor Sokhary Chau
And
Members of the Lowell City Council

Ref: PETITIONS from 3/28/23 Council Meeting - Charles Kafasis 141 Mt. Vernon St.
Request City to enforce "Reserved Dwelling Parking" sign per Ordinance

Dear Mayor Chau and Members of the Lowell City Council,

The above referenced petition was referred to my office by the Council at the regular City Council meeting on March 28th. The Parking Department is responsible for the administration of the City's Reserved Dwelling Sign Program (RSVD). A copy of the Ordinance is attached.

This Ordinance governs the issuance of signs, the renewal of signs and the collection in Lowell, as well as the collection of the fees which is presently \$10 per sign, per year. According to the Parking Director, the current program originated when the initial residential red and white signs were cancelled and so-called "swap outs" were provided by the City Clerk's office, then by Inspectional Services back in 1989, where the signs were administered and enforced. The program moved to the Parking Department in June of 2013, but enforcement was not delegated to Parking as the program covers residences outside of the Parking Departments purview and staffing levels. Enforcement is currently handled by LPD, but understandably at a lower priority.

My office has referred this specific petitioner's complaints to be reviewed further by the law department regarding some of the accusations made therein. Regarding the more broad policy issues raised regarding the efficacy of the existing RSVD program, the Parking Director has been working with the finance team and my office on a complete overhaul of the program to be brought back to the finance subcommittee for comment, and ultimately to the full City Council for a public hearing along with the budget.

Please let me know if there are any questions.

Sincerely,

Thomas A. Golden, Jr.
City Manager

Cc: Conor Baldwin, Chief Financial Officer
Terry Ryan, Parking Director

Chapter 266. Vehicles and Traffic

Article VI. Parking Permit Areas

§ 266-85. Reserved dwelling parking space.

[Added 6-27-1989; amended 10-27-1998; 9-10-2002; 6-12-2012]

- A. Each single, two-family or multiple dwelling house with frontage on a street or way within the City of Lowell shall have one parking space on said street in front of said dwelling house reserved for the parking of a vehicle for use by the residents of said dwelling house. Said reserved parking spot shall be identified by the use of above-grade signs issued by the City of Lowell bearing the words "Parking Space Reserved for Residents of Dwelling."
- B. Said signs shall be provided by the City of Lowell upon payment of applicable fees and shall be individually numbered.
- C. Signs issued under this section shall expire on the last day of the month one year from the date of issuance of the sign unless renewed in accordance with any applicable procedures and fees. Said signs shall include provisions to affix a sticker or decal indicating the month and year of expiration.
- D. Said signs shall reserve an on-street parallel parking space of standard width centered on the location of the sign and running 20 feet zero inches along the curblineline or edge of the roadway.
- E. Said signs may be located along any lot frontage, as defined in Article II of Chapter 290, of the property containing the dwelling house for whose residents the parking is reserved, provided that:
 - (1) Said signs are securely affixed to a fence, post, or other legal exterior location visible to motorists from the street or way and from the parking space designated by the sign. Signs may not be placed inside a building.
 - (2) The parking space designated as reserved under this section must be in a location where on-street parallel parking is legal under the General Laws of the Commonwealth of Massachusetts and this Code of Ordinances. The designation of a parking space as reserved under this section shall not supersede any other applicable section of this Code.
 - (3) Parking spaces designated as reserved under this section shall be located in such a manner as to maximize remaining unreserved public on-street parking available to other motorists.
 - (4) The property containing the dwelling house for whose residents the parking is reserved has at least 20 feet zero inches of legal lot frontage.
 - (5) No more than one parking space may be reserved for any individual parcel under the provisions of this section regardless of the number of buildings or dwelling units on the parcel or the number of streets or ways that the parcel has frontage on.
- F. This section is applicable in all areas of the City, including residential permit parking areas.
- G. A reserved dwelling parking space in the South End (Back Central Neighborhood) shall be permitted, and placard issued therefor, only if the dwelling house does not have:
 - (1) A driveway or other off-street parking area on the same property as the dwelling house to accommodate one or more vehicles; or

- (2) Available leased, rented or owned off-site parking space(s) in the South End Back Central Neighborhood to accommodate one or more vehicles.
 - (a) If a dwelling house has parking space(s) as specified under Subsection **G(1)** or **(2)** above, no reserved dwelling parking space permits or placards shall be issued for such dwelling house.
- H. Effective six months following the effective date of this amended section by the Lowell City Council, any issued and outstanding permits/placards for such dwelling houses which have reserved parking space(s) under § **266-85** prior to the effective date of this amended section shall be canceled and revoked. All holders of outstanding permits/placards issued under § **266-85** prior to the effective date of this amended section shall be entitled to obtain new signs subject to the requirements of this section. Notice of the amended section and requirements and the cancellation of outstanding permits/placards shall be sent via United States Mail to all permitholders whose addresses are on file in the office of the Building Commissioner within 30 days of the effective date of this amended section.
- I. Parking in violation of this section shall constitute a violation of Article **VI** of this chapter of the Code and shall be subject to the fines and remedies imposed under § **266-86**.
- J. Fees for signs and decals or stickers under this section shall be charged as established by the Lowell City Council. Fees shall be established to cover the costs to produce the signs and stickers or decals and the costs to administer this section.