

STATE OF ALABAMA
COUNTY OF BALDWIN

ORDINANCE NO. 490-95

AN ORDINANCE AMENDING ORDINANCE NO. 450-91 REGULATING
FOLEY MUNICIPAL AIRPORT PARKING AND ESTABLISHING FEES
FOR PERMITTED EXTENDED PARKING

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF FOLEY,
ALABAMA, as follows:

Section 1. DEFINITIONS. For the purpose of this ordinance, the following terms, phrases, words and their derivation shall have the meaning given herein. When not inconsistent with the context, words used in the plural number include the singular number, words used in the singular number include the plural number, and words in the male gender shall include the female and neuter. The word "shall" is always mandatory and not merely descriptive.

(a) "Airport" is the Foley Municipal Airport which is owned by the City of Foley, Alabama, and operated and managed under contract to a fixed base operator.

(b) "Airport Property" is all property located within the boundary and confines delineated on all legal instruments as the Foley Municipal Airport.

(c) "Extended Parking Area" is that section of Airport Property designated for the extended parking of vehicles as provided for on a fee and permit basis in this ordinance.

(d) "Short Term Parking Area" is that section of Airport Property designated for parking, but not included in the designated Extended Parking Area.

(e) "Vehicle" is any motorized or non-motorized vehicle on Airport Property that is not owned by the City of Foley, or a commercial vehicle owned and/or operated by the duly recognized Foley Municipal Airport Fixed Base Operator.

Section 2. PARKING LIMITATION. No vehicle shall be parked at the Foley Municipal Airport in any short term parking area for a period of time exceeding forty-eight (48) consecutive hours for any reason.

Section 3. EXTENDED PARKING PERMIT REQUIRED. Any vehicle that is to be parked at the Foley Municipal Airport for a period of time exceeding forty-eight (48) consecutive hours must make application for an extended parking permit on a designated application form that may be obtained from the Foley Police Department. Said application must be submitted to the Foley Police Department and a permit issued for the identified vehicle to be parked in the designated extended parking area of the Airport. No vehicle shall be parked in the designated extended parking area of the Foley Municipal Airport that does not have a duly authorized permit visible through the vehicle windshield. The application for an extended parking permit shall include the following information:

- (a) Name, address of residence, and telephone number of registered vehicle owner.
- (b) Vehicle identification number and automobile tag number of subject vehicle.
- (c) Statement of vehicle owner for reasons subject vehicle is to be parked at the Foley Municipal Airport.
- (d) Signed statement of understanding that vehicle owner understands that a monthly permit fee, as contained in this ordinance, is due and payable at the Foley Police Department by the tenth (10th) day of each month, and

that the owner understands that the subject vehicle is to be towed at the owner's expense to the City of Foley impoundment lot in the event that said permit fee is not paid by the last day of the month. That the applicant agrees to notify the Foley Police Department at any such time a vehicle will no longer be parked at the Foley Municipal Airport, which shall constitute permit cancellation; and that the applicant understands that a separate permit must be obtained for each vehicle with no permit being transferable.

Section 4. PERMIT FEE AND TERM OF PERMIT. The fees for issuance of an extended parking permit as authorized under this ordinance shall be as follows:

SHORT-TERM EXTENDED PARKING: (More than forty-eight (48) hours, less than one (1) month) to be pro-rated at sixty-six (.66) cents per day.

LONG-TERM EXTENDED PARKING: (More than one (1) month) fee will be Twenty (\$20) Dollars per month. The permit shall remain valid on a month-to-month basis thereafter provided the holder remits the monthly permit fee to the Foley Police Department by the tenth day of said month. Any permit fee not remitted by the last day of any month in which it is due shall constitute a violation of this ordinance and result in the subject vehicle being towed for impoundment at the owner's expense.

ANNUAL FEE: If vehicle owner wishes to pay for long-term extended parking on an annual basis, the fee will be One Hundred Twenty (\$120) Dollars per year, renewable annually in the month first issued.

Section 5. GENERAL VIOLATIONS. Any vehicle parked at the Foley Municipal Airport must be parked in a designated extended or short term parking area. Any vehicle parked in the designated extended parking area must be duly permitted under the terms of this ordinance. Any vehicle parked in a designated short term parking area, as defined in Section 1 of this ordinance, will be limited to forty-eight (48) consecutive hours. Any violation of this ordinance will result in the removal of this subject vehicle to the City of Foley impoundment area at the owner's expense.

Section 6. PENALTIES. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined an amount not exceeding Five Hundred (\$500.00) Dollars, or be imprisoned in the city jail for a period not to exceed one hundred eighty (180) days, or be both so fined and imprisoned.

Section 7. PERMIT NOT TRANSFERABLE. Each extended term parking permit issued under the provisions of this ordinance shall be issued to the applicant owner for the specific vehicle identified in the application, and as such shall not be transferable to any other vehicle. If a permitted vehicle is no longer to be parked at the Foley Municipal Airport, and replaced with another vehicle, said action shall be preceded by a separate application for permit.

Section 8. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

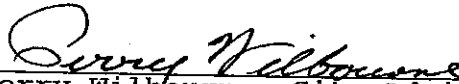
Section 9. ORDINANCE REPEALED. All ordinances and parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

Section 10. EFFECTIVE DATE. This ordinance shall be effective on and after the 6th day of February, 1995, and shall apply to all vehicles parked at or driven onto the Foley Municipal Airport.

PASSED, ADOPTED AND APPROVED this 6th day of February, 1995.


Arthur A. Holk, Mayor

ATTEST:


A. Perry Wilbourne, City Administrator/Clerk

FOLEY MUNICIPAL AIRPORT
APPLICATION FOR EXTENDED PARKING PERMIT

APPLICANT NAME: _____

RESIDENT ADDRESS: _____

PHONE NUMBER(S): _____

VEHICLE VIN# _____

TAG# _____ STATE OF REGISTRATION _____

REASON VEHICLE IS TO BE PARKED AT FOLEY MUNICIPAL AIRPORT:

SHORT-TERM EXTENDED PARKING (MORE THAN 48 HOURS, LESS THAN 1 MONTH) TO BE PRO-RATED AT .66 CENTS PER DAY:

FROM _____ TO _____

LONG-TERM EXTENDED PARKING (MORE THAN ONE MONTH) FEE \$20/MONTH:

FROM _____ TO _____

ANNUAL PARKING \$120.00 PER YEAR

STATEMENT OF UNDERSTANDING:

THE TOTAL AMOUNT OF SHORT-TERM PARKING FEE IS DUE UPON SUBMISSION OF APPLICATION.

THE FIRST MONTH OF LONG-TERM PARKING FEE IS DUE UPON SUBMISSION OF APPLICATION WITH EACH ADDITIONAL MONTHLY FEE BEING DUE BY THE 10TH DAY OF EACH MONTH AND NO LATER THAN THE LAST DAY OF THE MONTH. IF NOT RECEIVED BY LAST DAY OF MONTH, THE VEHICLE IS SUBJECT TO BE TOWED AT OWNER'S EXPENSE TO THE CITY OF FOLEY IMPOUNDMENT LOT.

IF THE TERMINATION DATE OF EXTENDED PARKING IS NOT KNOWN AT TIME OF APPLICATION, THE APPLICANT AGREES TO NOTIFY THE FOLEY POLICE DEPARTMENT AT SUCH TIME A VEHICLE WILL NO LONGER BE PARKED AT THE FOLEY MUNICIPAL AIRPORT, WHICH SHALL CONSTITUTE PERMIT CANCELLATION.

A SEPARATE PERMIT MUST BE OBTAINED FOR EACH VEHICLE WITH NO PERMIT BEING TRANSFERABLE.

APPLICANT

CITY OF FOLEY REPRESENTATIVE