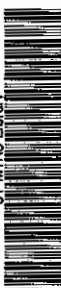


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Traffic—Parking Meters

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PARKING METERS IN TENNESSEE

Their Number, Use, Yield,
Successful Practices,
and Model Meter Ordinance

E. W. NEISENHOLDER III

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Traffic - Parking meters

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PARKING METERS IN TENNESSEE

**Their Number, Use, Yield,
Successful Practices, and Model Meter Ordinance,**

by

**Edmund W. Meisenhelder, III
Consultant on Municipal Management**

by Edmund W. Meisenhelder, III

MUNICIPAL TECHNICAL ADVISORY SERVICE

DIVISION OF UNIVERSITY EXTENSION

THE UNIVERSITY OF TENNESSEE

In cooperation with the

TENNESSEE MUNICIPAL LEAGUE

Knoxville, Tennessee

April 1953

FOREWORD

This technical bulletin, for the information of Tennessee municipal officials, reports the number, use, yield and successful practices employed in the operation of parking meters in Tennessee, and offers a model parking meter ordinance.

The basic information for the bulletin was obtained from returns to a questionnaire prepared by the American Municipal Association, the Highway Research Board, and the Bureau of Public Roads for a nation-wide parking meter study, and distributed to the cities of this state by the Tennessee Municipal League. To these basic data has been added recent information to bring the statistics as nearly up-to-date as possible. In addition to information given in the questionnaires, other details, especially on successful practices, were obtained by field visits.

As a result of their national study, the three sponsoring agencies have estimated that there are well over a million parking meters in use in more than 2800 localities in the United States, bringing in an annual gross revenue in excess of \$76,000,000. Of this total, the State of Tennessee accounts for nearly 22,000 meters in 71 cities, with a yield of more than \$1,000,000.

The cooperation of busy city officials in furnishing the Tennessee information contained herein is deeply appreciated and gratefully acknowledged.

Victor C. Hobday, Executive Director
Municipal Technical Advisory Service

April 1953

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INTRODUCTION

As of mid-March, 1953, 71 Tennessee towns and cities had in operation a known total of 21,713 parking meters, yielding more than a million dollars a year in gross receipts. So widespread is their use that meters are in operation in all 15 cities of the state with populations exceeding 10,000, and in 70% of the 59 cities with populations between 2,000 and 10,000. In fact, over 1,230,000 Tennesseans or 86.8% of the state's incorporated population, live in metered cities. The typical Tennessee meter city has 200 to 300 meters, a gross annual revenue therefrom of more than \$16,000, and an annual average yield per meter of over \$55.

I. EXTENT OF PARKING METER USE

1. Number of Meters in Use

EXHIBIT A shows that 64 Tennessee cities reported a total of 18,646 parking meters in operation on January 1, 1952. In addition, 7 of these cities are known to have added 2090 meters during 1952 and early 1953, and 7 cities to have made their first installations (of 977 meters) during that period. The latest installations reported are in Nashville, which put in 1000 in March, 1953 - its first curb meters.

Thus, the total in use at this writing is 21,713 meters in 71 cities of the Volunteer State. Compare this with the situation of a scant seven years ago, when the Municipal Finance Officers Association of the United States and Canada reported but 4429 meters in only 8 Tennessee cities!

The number of meters now in use ranges from South Fulton's 37 to Memphis' 2594. The average number of meters for Tennessee cities is 306, most nearly matched by Maryville, while the median number is 212, represented by Lenoir City. (The large installations of Memphis, Chattanooga and Nashville are responsible for raising the average so far above the median).

EXHIBIT A

NUMBER OF PARKING METERS IN USE (as of January 1, 1952)

CITIES INSTALLING METERS FOR THE FIRST TIME DURING 1952 AND EARLY 1953

Memphis (Airport Included)	2594	McMinnville	255	Lake City	161	Lewisburg	430
		Brownsville	250	Savannah	155	Spring City	137
Chattanooga (340 more installed Apr. 1952)	1200	Lawrenceburg	250	Dayton	150	Selmer	101
		Covington	248	Mt. Pleasant	147	Hartsville	99
		Springfield	236	Morristown	146	Henderson	90
Kingsport	840	Newport	235	Cookeville	143	Newbern	83
Jackson (170 more inst. '52)	750	Winchester	227	Greeneville	140	South Fulton	<u>37</u>
Clarksville	605	Gallatin	226	Clinton	123	Total (7 new cities):	977
Knoxville (125 more inst. '52)	589	Harriman	225	Livingston	120		
Elizabethton	490	Union City	225	Monterey	114		
Columbia	400	Rockwood	215	Etowah	110	MEDIAN NO. OF METERS (71 cities)	212
Fayetteville	400	Ripley	213	Johnson City (325 more installed in 1952)	108		
Paris	400	LENOIR CITY	<u>212</u>				
Dyersburg	380	Manchester	205	Loudon	108		
Shelbyville (80 more installed in 1952)	355	Athens	200	Carthage	107		
		LaFollette	200	Crossville	95		
Cleveland	350	(50 more installed Sept. 1952)		Martin	95		
Bristol	332	South Pitts- burg	196	Rogersville	80		
Tullahoma	327	Humboldt	195	Sweetwater	78		
Murfreesboro	326	Dickson	180	Jellico	74		
Trenton	320	Franklin	172	Jefferson City	71		
Maryville	300	Sevierville	165	Copperhill	60		
Nashville (1000 more in- stalled 1953)	299	Lebanon	163	Portland	<u>56</u>		
Dresden	255						
Total (64 cities):				18,646			

Recapitulation

Total Meters, as of January 1, 1952 (64 cities):	18,646
Total Meters known to have been added during 1952 (7 cities):	2,090
Total Meters, in cities making first installations during 1952-3 (7 cities):	<u>977</u>
GRAND TOTAL (Meters known to be in use on March 12, 1953):	21,713

Of the total meters in operation in March, 1953, only 970, or 4.5% were installed in off-street parking lots, and these were limited to the cities of Memphis, Nashville, Knoxville and Jackson. Of this number, 91 are at the Memphis Municipal Airport. It should be pointed out, however, that this small percentage is not truly representative of the total number of off-street parking spaces in use, since some Tennessee cities have provided free parking lots with revenues from their curb meters (see Section IV-3, below).

The relative numbers of automatic and manual meters is of interest, although there appears to be no decided trend in either direction. At present, there are 12,032 automatic and 9,681 manual meters in use. Each type has certain advantages, the automatic being more convenient for the motorist, and the manual generally having a less complicated mechanism, requiring no winding, and being of slightly lower initial cost. EXHIBIT B, arranged alphabetically by city, shows for each of the 71 meter cities, the relative numbers of meters at curb and in off-street locations, and whether they are the automatic or manual type.

A variation in meter styles is the twin type, consisting of two meter heads mounted in the same housing and on the same post, and actuated by either separate clocks or a single clock between them. Proponents of the twin type recommend them especially where there are narrow streets and congested sidewalks, since they reduce by nearly¹ one-half the number of posts. It is also argued that a police officer can check two meters at one glance, where twins are used. In addition, the cost of one twin meter is generally less than that of two single meters. Cities reporting twin type meters, and the number of parking spaces they control are:

¹ Single meters are still needed at the ends of some blocks.

EXHIBIT B

NUMBER OF PARKING METERS - BY LOCATION AND TYPE
(as of January 1, 1952)*

City	1950 Population	Number of Meters By Location		Number of Meters By Type	
		Curb	Off-Street	Automatic	Manual
Athens	8,618	200		200	
Bristol	16,771	332		332	
Brownsville	4,711	250		250	
Carthage	1,604	107		107	
Chattanooga (Added April 1952):	131,041	1,200 (340)		1,200 (340)	
Clarksville (Removed 1952): (Added 1952):	16,246	542 (63)	63 (-63)**	300	305
Cleveland	12,605	350		350	
Clinton	3,712	123		123	
Columbia	10,911	400			400
Cookeville	6,924	143			143
Copperhill	924	60		60	
Covington	4,379	248			248
Crossville	2,291	95			95
Dayton	3,191	150			150
Dickson	3,348	180			180
Dresden	1,509	255		255	
Dyersburg	10,885	380		380	
Elizabethton	10,754	490			490
Etowah	3,261	110		110	
Fayetteville	5,447	400			400

* See page 7 for data on cities installing meters for the first time during 1952 and early 1953

** Removed from off-street lot and added to curb installations in 1952

EXHIBIT B. Continued

NUMBER OF PARKING METERS - BY LOCATION AND TYPE
(as of January 1, 1952)

City	1950 Population	Number of Meters By Location		Number of Meters By Type	
		Curb	Off-Street	Automatic	Manual
Franklin	5,475	172			172
Gallatin	5,107	226			226
Greeneville	8,721	140		100	40
Harriman	6,389	225		225	
Humboldt	7,426	195		195	
Jackson (Added in 1952):	30,207	750	(170)		750 (170)
Jefferson City	3,633	71			71
Jellico	1,556	74		74	
Johnson City (Added in 1952):	27,864	108 (325)		108	(325)
Kingsport	19,571	840		840	
Knoxville (Added in 1952):	124,769	589	(125)		589 (125)
La Follette (Removed Sept. 1952): (Added Sept. 1952):	5,797	200 (50)		(200)	200 (-150)
Lake City	1,827	161			161
Lawrenceburg	5,442	250		250	
Lebanon	7,913	163			163
Lenoir City	5,159	212			212
Livingston	2,082	120		120	
Loudon	3,567	108		108	
McMinnville	7,577	255		255	
Manchester	2,341	205			205
Martin	4,082	95		95	
Maryville	7,742	300		300	
Memphis (Incl. Airport) (Airport only) (Without Airport)	396,000	2,218 (2,218)	376 (91) (285)	2,594 (91) (2,503)	
Monterey	2,043	114			114

EXHIBIT A continued

NUMBER OF PARKING METERS - BY LOCATION AND TYPE
(as of January 1, 1952)

City	1950 Population	Number of Meters By Location		Number of Meters By Type	
		Curb	Off-Street	Automatic	Manual
Morristown	13,019	146			146
Mount Pleasant	2,931	147		147	
Murfreesboro	13,052	326			326
Nashville (Added March 1953)	174,307	(1000)	299		299 (1000)
Newport	3,892	235		235	
Paris	8,826	400			400
Portland	1,660	56			56
Ripley	3,318	213		213	
Rockwood	4,272	215		215	
Rogersville	2,545	80		80	
Savannah	1,698	155		155	
Sevierville	1,620	165			165
Shelbyville (Added in 1952):	9,456	355 (80)		355	(80)
South Pittsburg	2,573	196			196
Springfield	6,506	236			236
Sweetwater	4,199	78			78
Trenton	3,868	320		320	
Tullahoma	7,562	327			327
Union City	7,665	225			225
Winchester	3,974	227			227
TOTAL as of Jan. 1, 1952 (64 cities)		17,908	738	10,651	7,995
TOTAL as of Jan. 1, 1952 (64 cities)		18,646		18,646	

EXHIBIT B Continued

CITIES INSTALLING METERS
FOR THE FIRST TIME DURING 1952 AND EARLY 1953

<u>City</u>	<u>1950 Population</u>	<u>Number of Meters By Location</u>		<u>Number of Meters By Type</u>	
		<u>Curb</u>	<u>Off-Street</u>	<u>Automatic</u>	<u>Manual</u>
Hartsville	1,130	99			99
Henderson	2,532	90		90	
Lewisburg	5,164	430		430	
Newbern	1,734	83		83	
Selmer	1,759	101		101	
South Fulton	2,119	37			37
Spring City	1,725	<u>137</u>	<u> </u>	<u>137</u>	<u> </u>
Total (7 cities)		977		841	136

RECAPITULATION

Total, as of 1/1/52 (64 cities)	17,908	738	10,651	7,995
Total, net additions known, 1952 (7 cities)	1,858	232	540	1,550
Total, new meter cities, 1952-53 (7 cities)	<u>977</u>	<u> </u>	<u>841</u>	<u>136</u>
Known total, as of 3/13/53	<u>20,743</u>	<u>970</u>	<u>12,032</u>	<u>9,681</u>
GRAND TOTAL, as of 3/13/53		21,713		21,713

<u>City</u>	<u>Spaces Metered by Twins</u>
Kingsport	840
Livingston	120
Johnson City	108
Jellico	<u>64</u>
Total	1132

2. Periods of Installation

The bar graph in EXHIBIT C shows the number of meters installed per year. The first installation in the country, in Oklahoma City in 1935, was closely followed by Tennessee's initial installation two years later, in Morristown. The next adoptions in this state were by Greeneville in 1940 and Memphis in 1941. No installations were reported for the War years 1942-44. The largest post-war placements occurred in 1947, with 3822 new meters and in 1950, with 3064.

3. Additional Meters Proposed

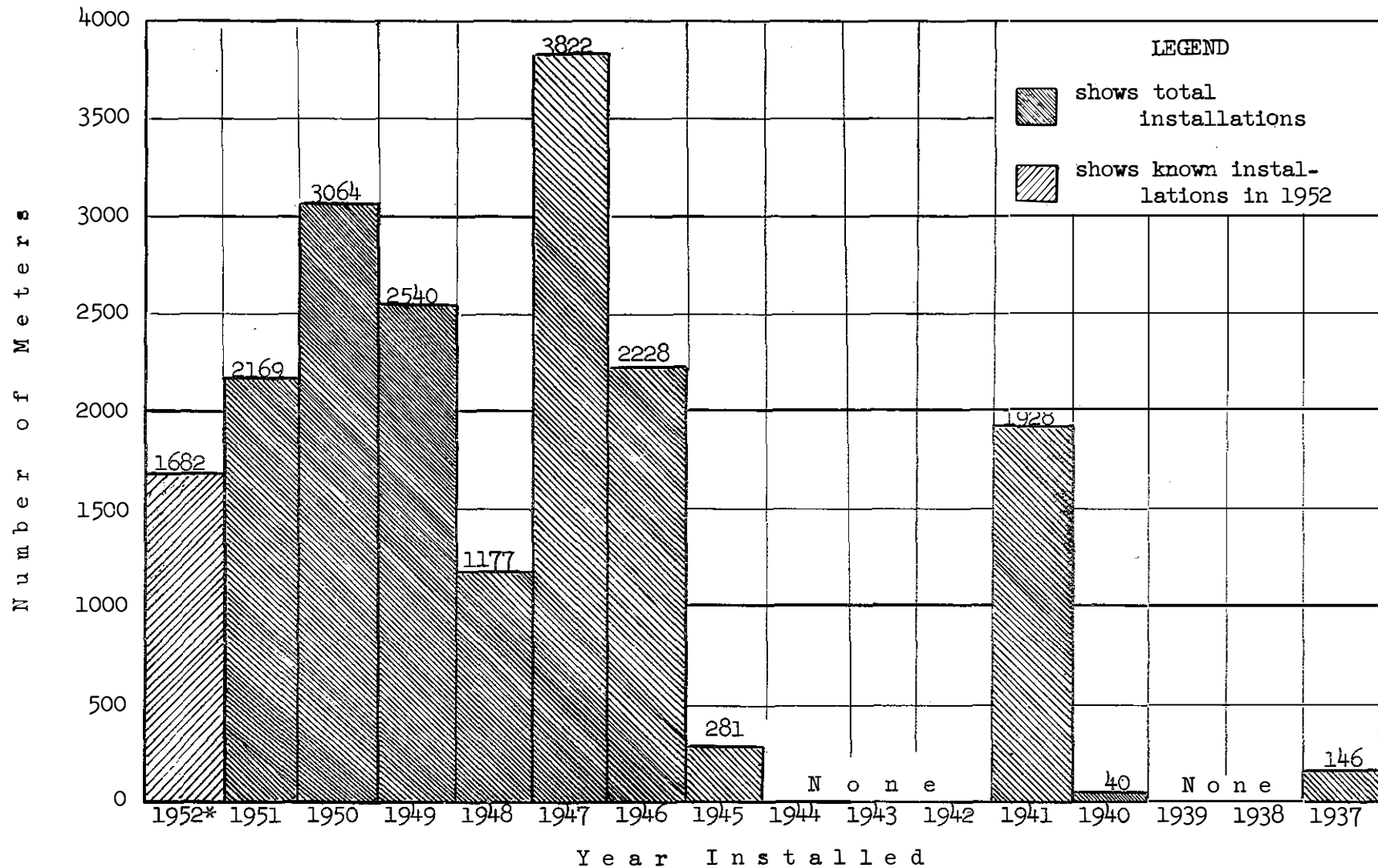
Additional meters proposed, not already included in the recent installations mentioned above, total 712 in 14 cities, of which 85 are planned for off-street parking lots. The off-street proposals are 25 for Johnson City and 60 for Harriman. Of the 627 projected for curb installations, the range is from 10 for Dayton to 100 each for Dyersburg, Jackson and Murfreesboro.

4. Estimated Service Life of Meters

Replies from Tennessee cities stated that parking meters were expected to last from three to twenty years, with repairs. Several cities indicated that manual meters were believed to have a longer life than automatic meters. Most of the estimates of the service life of meters fell within an eight-to-ten year period, while one city volunteered the information that their first meters, installed in 1940, are still in good condition.

EXHIBIT C

NUMBER OF METERS INSTALLED -- BY YEAR



Total 1937-51	17,395**
1952 known installations	1,682
Total meters reported, as of January 1, 1953	19,077

* 1952 known installations

**Does not include Knoxville (589), part of LaFollette (200), and part of Memphis (575). Does include 113 removed, or kept as spares, in various cities.

1953 installations of 90 meters in Henderson and 1000 in Nashville not included in this exhibit

5. Location of Meters

Meters are almost entirely restricted to commercial districts, with some few extending out into industrial and residential areas. Exceptions to this rule are, of course, the off-street and airport meters already mentioned.

6. Number of Meters Removed

EXHIBIT D tabulates the reasons for the removal of meters and the numbers so eliminated.² Altogether, 23 cities reported having removed a total of 520 meters. The most frequent general reason for removal of meters was to provide special parking or loading zones. Two hundred thirty-eight meters were so removed, of which 227 were to provide loading zones, and the balance for bus stops, doctors' parking, etc. However, in over 40 of these cases, monthly fees are being charged for such privileges.

The second chief reason for eliminating parking meters was their removal after a trial period. In most instances, new installations were later made. Sparta is the only Tennessee city known to have abandoned meters without later re-installing them. It is reported that in Sparta meters were originally installed over the protest of local merchants, on a 6 months' trial which was extended for another 6 months, and then finally voted out.

II. PARKING METER REVENUES

1. Gross Revenues

Sixty-five Tennessee cities reported receiving a total gross revenue of \$1,082,295 from 19,448 parking meters in the most recent fiscal year. Gross annual revenues (i.e., before deduction for amortization, maintenance or any other purpose) ranged from \$2,080 for Lake City to \$186,292 for Memphis. Specific yields for each city reporting revenues are shown in EXHIBIT E, both in the form of annual gross meter revenues and of average annual yield per meter.

² Does not include Sparta.

EXHIBIT D

NUMBER OF METERS REMOVED AND REASONS
(Known removals as of January 1, 1953)

Providing Special Parking or Loading Zones

Truck loading zones, etc.	227 ^a	
Bus stop	5	
Theater entrance	1	
Police parking	1	
Doctors' parking	<u>4</u>	238

Change in Parking Regulations

"Change in parking regulations"	16	
To allow parallel instead of angle parking	2	
Removal after installation on trial basis	<u>165^b</u>	183

Eliminating Congestion

To clear crowded corners ^c	2	
Removed from narrow sidewalks	17	
To give access to driveways	<u>7</u>	26

Temporary Removal

Removal due to construction or street resurfacing ^c	<u>25</u>	25
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Miscellaneous Reasons

Meters wrecked or destroyed	5	
Meters "not needed"	6	
No reason	<u>37</u>	<u>48</u>

TOTAL, All Reasons		520
--------------------	--	-----

^a 42 of these licensed at \$4 per space per month

^b 150 removed in 1947 after 6 months' trial. Replaced several years later by new installation

^c Some removals for these purposes included in "Truck Loading Zones, etc."

METER REVENUES
(Totals, Averages, and Disposition)

City	Total No. of Meters	Total Annual Gross Meter Revenues*	Average Annual Yield Per Meter	Disposition of Gross Meter Revenues		
				Amortiz. of Meters	General Fund	Other (Specify)
Athens	200	\$ 9,615	\$48.08		100%	
Bristol	332	26,414	79.56		100%	
Brownsville	250	8,153	32.61	50%	50% (including enforce- ment and maintenance)	
Carthage	107	4,420	41.30		100%	
Chattanooga	1540 (incl. 340 in- stalled April 1952)	118,858	77.18	50%	50% (of the Gen. Fund share, \$10,254 went for police enforcement and \$11,051 for meter maintenance and repairs)	
Clarksville	605	25,239	41.71	From Gen.Fund	100% (includes amortiz. and enforcement)	
Cleveland	350	16,874	48.21		100%	
Clinton	123	6,500	52.84		100% (incl. enforc., re- pairs & maint., and traffic control)	
Columbia	400	26,176	65.44		100%	
Cookeville	143	8,726	61.02		100%	
Copperhill	60	3,744	62.40			\$40 spent on meter maint. & repairs. Dis- position of balance not in- dicated.
Covington	248	11,688	47.12		100%	
Crossville	95	3,924	41.31	\$252.50 mo. (Jan.-Aug.) None (Sept.-Dec.)	\$55 mo. (approx.) (Jan.-Aug.) \$277.50 mo. (Sept.-Dec.)	\$25 month - repairs
Dayton	150	5,439	36.26		100%	
Dickson	180	7,199	39.99		100% (incl. maint. and enforce.)	
Dresden	255	6,036 (est)**	23.67	50%		50% "Parking Meter Acct."

* For latest fiscal year reported

** 12-months' projection of first 10 months' experience

EXHIBIT E Continued

METER REVENUES
(Totals, Averages, and Disposition)

City	Total No. of Meters	Total Annual Gross Meter Revenues	Average Annual Yield Per Meter	Disposition of Gross Meter Revenues		
				Amortiz. of Meters	General Fund	Other (Specify)
Dyersburg	380	\$ 19,763	\$ 52.00	\$	\$	Maint. of meters, salaries of park- ing meter men, signs and park- ing lines
Elizabethton	490	21,433	43.74	3,433	\$18,000 (incl. enforc., traffic control \$2,400, repairs & maint. \$825)	
Etowah	110	4,700	42.73			"Earmarked for street improve- ment bonds."
Fayetteville	400	20,432	51.08		Police enforc., & \$5 per meter for repairs and maintenance	
Franklin	172	8,816	51.25	3,998	3,998	\$820 - repairs & maintenance
Gallatin	226	13,108	58.00			100% "Parking Meter Fund"
Greeneville	140	7,973	56.95		100% (incl. enforc., and maintenance)	
Harriman	225	11,209	49.82		100%	
Humboldt	195	6,013	30.83	"Amortiz. of meters; school fund; police enforc.; (meter) maint. & repairs."		
Jackson	750	58,635	78.18	50%	50%	
Jefferson City	71	2,574	36.25	50%	50% (incl. \$20 mo. for repairs and maint.)	
Jellico	74	3,125	42.23		100%	
Johnson City (incl. 325 in- stalled in 1952)	433	28,424	65.64		100%	
Kingsport	840	57,333	68.25		100% (incl. collector's salary \$2,500, maint. \$506, & enforc.)	
Knoxville	589	32,685	55.49		100% (incl. meter maint. & repairs, traffic control)	

EXHIBIT E Continued

METER REVENUES
(Totals, Averages, and Disposition)

City	Total No. of Meters	Total Annual Gross Meter Revenues	Average Annual Yield Per Meter	Disposition of Gross Meter Revenues		
				Amortiz. of Meters	General Fund	Other (Specify)
LaFollette	200	\$ 8,400	\$42.00	\$ 3,600	\$ 4,800	
Lake City	161	2,080	12.91	1,353	475	\$352 repairs and maintenance
Lawrenceburg	250	12,000	48.00		100%	
Lebanon	163	11,114	68.18		100% (incl. \$2,036 for meter repairs and maintenance)	
Lenoir City	212	11,083	52.27			Salary of police officer who enforces, repairs & maintains meters; repair parts, too.
Livingston	120	4,604	38.37	50%	50%	
Loudon	108	4,601	42.60	100%		
McMinnville	255	20,406	80.02			100% (of this amount, 10% is for enforc. & 10% for maintenance)
Manchester	205	6,750	32.92			100% of "net receipts" allocated to streets
Martin	95	4,460	46.94			100% (but ear-marked to replace all funds used for purchase of a fire truck)
Maryville	300	29,000	96.66			100% (incl. 1/12 for police enforcement)
Memphis (incl. Airport)	2594	186,292	71.82			
Memphis (Airport only)	(91)	(4,200)	(46.15)			
Memphis (without Airport)	(2503)	(182,092)	(72.74)		100%	
Monterey	114	2,203	19.32	\$790	\$715	\$74 repairs and maintenance
Morristown	146	8,458	57.93	All goes in General Fund, except enough to amortize last fifty meters		
Mt. Pleasant	147	7,913	53.83			100% (incl. \$161 for repairs)

METER REVENUES
(Totals, Averages, and Disposition)

City	Total No. of Meters	Total Annual Gross Meter Revenues	Average Annual Yield Per Meter	Disposition of Gross Meter Revenues		
				Amortiz. of Meters	General Fund	Other (Specify)
Murfreesboro	326	\$21,910	\$67.20	\$	97.8%	2.2% meter re- pairs & maint.
Nashville (off-street only)	299	5,684	19.01	50%		50% off-street traffic control
Newport	235	7,556	32.15		"Revenues provide 1 police- man for enforc., & 1 man at \$50 per mo. for meter repairs and maintenance"	
Paris	400	22,654	56.63		100% (traffic control & meter maintenance)	
Portland	56	2,902	51.82	50% (approx)	50% (approx)	
Ripley	213	8,800	41.31	50%	50%	
Rockwood	215	8,168	37.99	\$4,083	\$1,916	\$2,169 for school band instructor
Rogersville	80	3,671	45.88		Police enforc.; & \$60 mo. for repairs and maint.	
Savannah	155	5,272	34.01	50%	50%	
Sevierville	165	6,000	36.36		100% (incl. \$3,800 per yr. for street improvement bonds)	
Shelbyville	355	12,587	35.45	50%	50%	
South Pittsburg	196	5,088	25.95		100%	
Spring City*	137*	2,594*	18.93*	50%*	50%*	
Springfield	236	12,344	52.30		\$11,672	\$672 repairs & maintenance
Sweetwater	78	2,851	36.55			100% Street Department
Trenton	320	14,732	46.03	50%		50% to pay off \$75,000 worth of industrial revenue bonds issued to build a factory leased to a private shoe Co. Bonds yield 3% & are held by local people.

* Meters installed in Spring City after January 1, 1952.
Gross revenue figure is a 12-months' projection of
first 6 months' experience.

EXHIBIT E Continued

METER REVENUES
(Totals, Averages, and Disposition)

City	Total No. of Meters	Total Annual Gross Meter Revenues	Average Annual Yield Per Meter	Disposition of Gross Meter Revenues		
				Amortiz. of Meters	General Fund	Other (Specify)
Tullahoma	327	\$ 12,215	\$ 37.35	\$	100%	
Union City	225	13,711	60.93	5,610	\$8,101	
Winchester	<u>227</u>	<u>8,964</u>	<u>39.48</u>			100% (incl. enforc. & maint.)
Totals (65 cities)	19,448*	\$1,082,295	\$ 55.65			
	<u>- 802**</u>					
Total Meters as of 1/1/52	18,646					

* Includes 1952 installations in Chattanooga, Johnson City, and Spring City

** Less 1952 installations in Chattanooga, Johnson City, and Spring City

2. Average Yield Per Meter

On a per meter yield basis, there were wide variations, reflecting the influence of such varied factors as the relation of the number of meters to the parking demand, the use of non-metered off-street parking lots, the availability of mass transportation facilities, and the nature of traffic flow, including seasonal fluctuations caused by tourist business. In addition, some cities meter only those streets with heavy parking, while others place meters along streets with light parking, thus reducing the average meter yield. Finally, the extent of enforcement has an effect on the amount of meter revenue.

Average annual per meter yields, as tabulated in EXHIBIT F, range from Lake City's \$12.91 to Maryville's \$96.66. The median figure was \$46.94, represented by Martin, and the average (from EXHIBIT E) was \$55.65, which is close to Knoxville's yield. The larger average revenues of the bigger cities, of course, make the average figure higher than the median.

3. Relation Between Number of Meters, Gross Revenues, Average Yields and Size of City

EXHIBIT G shows an interesting relationship between the number of meters, gross revenues and average yields, for cities in different population groupings. As could be expected, the average number of meters increases as the population of the city increases, but not in proportion to the population increase. In fact, as the size of the city increases, the number of meters per 1000 inhabitants decreases:

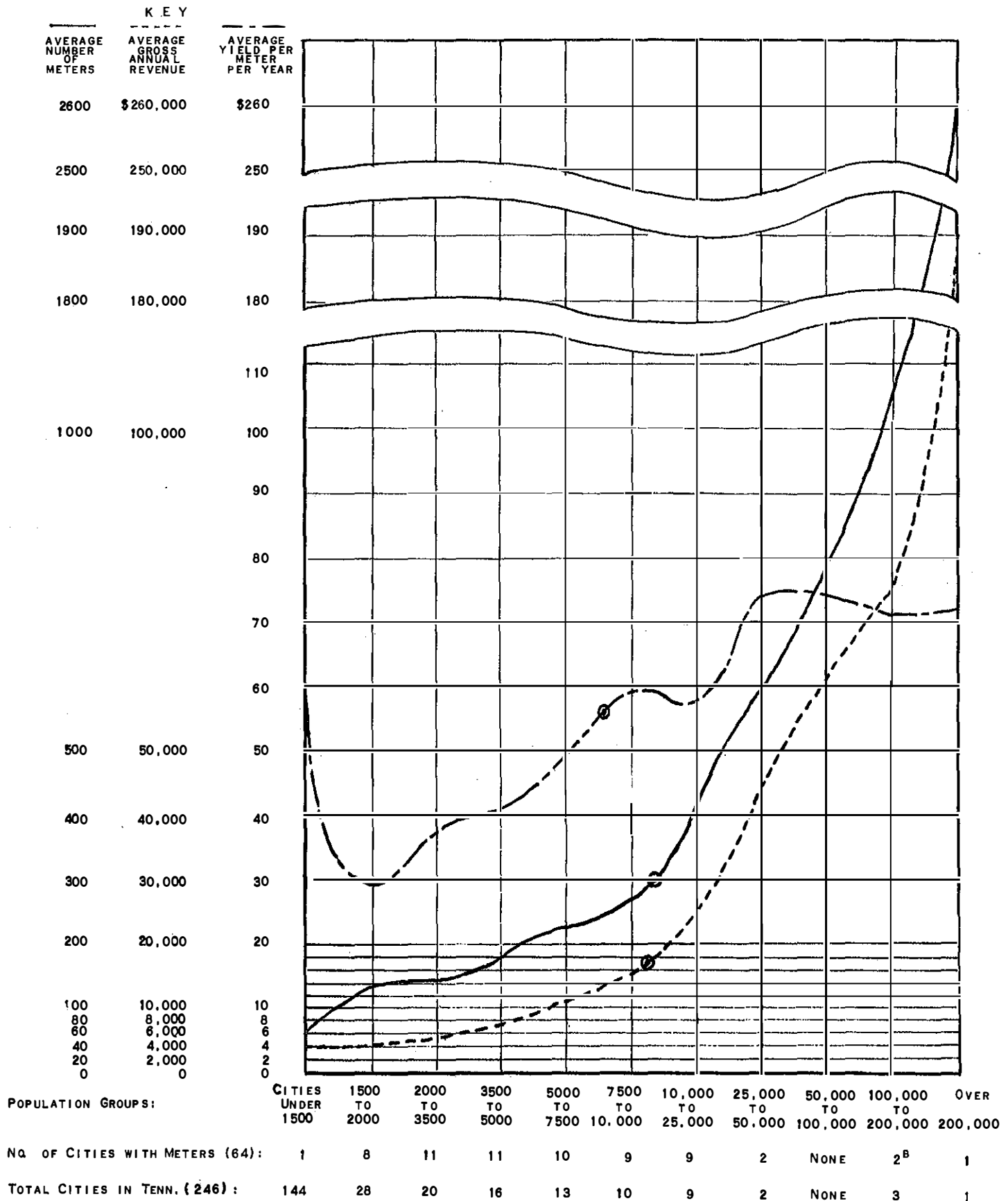
<u>Population Group</u>	<u>Number of Meters per 1000 Inhabitants</u>
1,500 - 2,000	84
2,000 - 3,500	54
3,500 - 5,000	44
5,000 - 7,500	38
7,500 - 10,000	32
10,000 - 25,000	31
25,000 - 50,000	20
50,000 - 100,000	(no cities of this size in Tennessee)
100,000 - 200,000	8
over 200,000	7

EXHIBIT FAVERAGE ANNUAL YIELD PER METER*
(Arranged by Yield)

Maryville	\$96.66	Dyersburg	\$52.00	Rockwood	\$37.99
McMinnville	80.02	Portland	51.82	Tullahoma	37.35
Bristol	79.56	Franklin	51.25	Sweetwater	36.55
Jackson	78.18	Fayetteville	51.08	Sevierville	36.36
Chattanooga	77.18	Harriman	49.82	Dayton	36.26
Memphis (without Airport)	72.74	Cleveland	48.21	Jefferson City	36.25
Memphis (including Airport)	71.82	Athens	48.08	Shelbyville	35.45
		Lawrenceburg	48.00	Savannah	34.01
Kingsport	68.25	Covington	47.12	Manchester	32.92
Lebanon	68.18	MARTIN	<u>46.94</u>	Brownsville	32.61
Murfreesboro	67.20	Memphis (Airport only)	46.15	Newport	32.15
Johnson City	65.64	Trenton	46.03	Humboldt	30.83
Columbia	65.44	Rogersville	45.88	South Pittsburg	25.95
Copperhill	62.40	Elizabethton	43.74	Dresden	23.67
Cookeville	61.02	Etowah	42.73	Monterey	19.32
Union City	60.93	Loudon	42.60	Nashville (off-street only)	19.01
Gallatin	58.00	Jellico	42.23	Spring City	18.93**
Morristown	57.93	LaFollette	42.00	Lake City	12.91
Greeneville	56.95	Clarksville	41.71		
Paris	56.63	Crossville	41.31		
Knoxville	55.49	Ripley	41.31	MEDIAN YIELD (65 cities)	\$46.94
Mt. Pleasant	53.83	Carthage	41.30		
Clinton	52.84	Dickson	39.99		
Springfield	52.30	Winchester	39.48		
Lenoir City	52.27	Livingston	38.37		

* For latest fiscal year reported

** Meters installed after January 1, 1952

METER USE BY CITY POPULATION GROUPS^A & ^B

^A INCLUDES 1952 INSTALLATIONS IN CHATTANOOGA, JOHNSON CITY AND SPRING CITY. DOES NOT INCLUDE 7 NEW METER CITIES, FOR WHICH REVENUE DATA IS NOT AVAILABLE.

^B DOES NOT INCLUDE NASHVILLE, WHICH HAD ONLY OFF-STREET METERS, PRIOR TO 1953.

⊙ AVERAGES FOR ALL 64 CITIES WITH METERS IN THIS GRAPH.

The average gross annual revenues increase faster (with but one minor exception) than the average number of meters, up to the 25,000-50,000 population group; thereafter, the rate of increase of the revenues fail even to keep up with the rate of increase of the meters. For this reason, the average yield per meter, while generally increasing up to a maximum of \$73.59, represented by the cities in the 25,000-50,000 group, drops slightly for cities with populations above 50,000. Probably the most creditable explanation for the failure of the average yield per meter to keep rising as the size of the city increases is a two-fold one. First, the "working hours" of a meter are practically the same regardless of the size of the city the meters operate in. Secondly, while the largest cities may place a higher value on their parking time than the small cities (for example: 5¢ for 30 minutes as compared with 5¢ for 1 or 2 hours), this trend to a higher valuation increases at a much smaller rate than the increase in the number of meters used and the revenue therefrom.

A final glance at EXHIBIT G reveals that the averages for the number of meters, the gross annual revenues and the yield per meter per year fall in the vicinity of cities in the 7,500-10,000 class. The media, since they are not unduly affected by the largest cities, would fall in lower population groups.

4. Disposition of Gross Revenues

EXHIBIT E gives the disposition of the gross meter revenue of each meter city for which such data were available. In all cases where the meters were not purchased outright, an established percentage of the monthly gross revenues was used to pay for the meters. This percentage, fixed by contract between the meter company and the city, was generally 50%, sometimes 75%, in one city 25% and in another 100%. The meter company retains title to the meters until they have been paid for.

In practically every instance, gross revenue not used for paying for meters or for covering the costs of meter repairs and maintenance, collection and enforcement, was applied to General Fund operations. However, several cities--Carthage, Clarksville, Cookeville, Lebanon and Ripley--applied parking meter revenues to the provision of off-street parking facilities, all of which facilities were unmetered, except that of Clarksville, which later removed the meters. (See Section IV-3, below, for details of off-street parking lots).

Manchester and Sweetwater applied meter receipts to "streets" and the "street department," while Etowah and Sevierville assigned theirs, at least in part, to repay "street improvement bonds." Martin earmarked 100% of its meter income to replace funds used to purchase a fire truck, Humboldt designated some for the "school fund," and Rockwood contributed \$2,169 for a school band instructor. Trenton, which had installed meters originally about 1947 and then removed them after a trial period, re-installed them in 1950 and 1951, with favorable public sentiment, since the anticipated revenue from the new meters was pledged to the retirement of \$75,000 of industrial revenue bonds issued by the city and held by the citizens.

The legality of the use of parking meter receipts for broad purposes of traffic control is well established, but the use of these revenues for non-traffic purposes is risky, and frequently illegal. Section VI of this Report, on Legal Aspects of Parking Meter Use, discusses at length this problem.

As the legal danger becomes apparent to more persons, non-traffic uses of meter revenues will become less common. The recent passage by the Tennessee State Legislature, and approval by the Governor, of a bill returning one cent of the State gasoline tax money to the cities for street maintenance and improvement purposes, beginning July 1, 1953, will probably eliminate future designations of parking meter receipts for street purposes. Perhaps also, this additional revenue for streets will release more parking meter money for the acquisition, construction and operation of off-street parking facilities.

5. Parking Meter Fines and Their Disposition

An auxiliary source of income from parking meters is that derived from fines for overparking and similar violations. Probably because this type of income existed long before the installation of meters, most cities consider them in the category of fines, rather than of meter revenue. Accordingly, meter fines are usually placed in the General Fund and frequently are not accounted for separately from other fines.

EXHIBIT H tabulates, for each city, the various rates of fines for parking violations, the total annual receipts therefrom, and their disposition. Thirty-one cities levied a fine of \$1.00 for overparking, while 23 cities assessed 50¢. Seven cities found a 25¢ fine effective, while several others utilized 10¢ and 5¢ fines. Second and third offenses drew larger fines in several cities and, of course, more serious violations, such as wilful damage to meters warrant fines up to \$50, plus a jail sentence. Receipts from meter fines ranged from less than a hundred dollars annually in cities with few meters to over twenty thousand dollars in the larger cities.

III. PARKING METER RATES CHARGED

EXHIBIT I presents a tabulation of the parking meter rate schedules in Tennessee cities. The most popular rate schedule, by a wide margin, is the 12 minutes/1¢, 1 hour/5¢, and 2 hours/10¢ combination, which is used by 48 cities. Thirteen cities use a slight variation of this in the 12 minutes/1¢ and 1 hour/5¢ combination. The largest cities in the state seldom provide parking for penny coins, recognizing no doubt the higher value of parking space in such cities, but offer a variety of time periods for a nickel, ranging from 15 minutes and up, depending upon location.

Some cities use several schedules. The most common secondary schedule in cities is a 12 min./1¢ zone in front of post offices and banks, where customer

EXHIBIT H
PARKING METER FINES

<u>City</u>	<u>Fine for Parking Violations</u>	<u>Total Parking Meter Fines (One Year)</u>	<u>Disposition of Fines</u>
Athens	\$1.00		
Bristol	\$1 - \$50		
Brownsville	.50	\$ 1,066	Combined with other fines in general accounts
Carthage	.25	125	Streets
Chattanooga	1.00 Delinquent \$5.25	24,000	General Fund
Clarksville	.50	2,484	General Fund
Cleveland	1.00	360	General Fund
Clinton	1.00		General Fund
Columbia	.50		Not separated from other fines
Cookeville	1.00	974	General Fund
Copperhill	1.00	28	General Fund
Covington	.50	450	General Fund
Crossville	1.00	200	General Fund
Dayton	.50 if viola- tor brings the fine. 1.00 if officer has to collect.	700	General Fund
Dickson	.50	168	Street Fund
Dresden	1st - 5¢, 2nd - 50¢, 3rd - \$1.00		
Dyersburg	.50	1,500	Police Dept. (General Fund)
Elizabethton	1.00	527	General purposes, schools, public safety, etc.
Etowah	1.00	100	
Fayetteville	1.00		General Fund
Franklin	.50	688	General Fund

EXHIBIT H Continued

PARKING METER FINES

<u>City</u>	<u>Fine for Parking Violations</u>	<u>Total Parking Meter Fines (One Year)</u>	<u>Disposition of Fines</u>
Gallatin	\$.50	\$ 764	General Fund
Greeneville	1.00	350	General Fund
Harriman	1.00	345	General Fund
Humboldt	.50		School Fund
Jackson	1.00		General Fund
Jefferson City	1.00	100	General Fund
Jellico	1.00	180	General Fund
Johnson City	1.00		
Kingsport	1.00	6,993	General Fund
Knoxville	1.00 (if paid promptly)		
LaFollette	.25 if paid within 24 hrs. otherwise \$1.00	250	Police Fund
Lake City	\$1 - \$5 first offense \$25 maximum	315	General Fund
Lawrenceburg	10¢ if paid. \$1 if they do not come in	1,000	General Fund
Lebanon			General Fund
Lenoir City	At first \$2, later cut to \$1	1,691	General Fund
Livingston	.50	200	General Fund - included in meter receipts
Loudon	.50	651	Police Department (various items)
McMinnville	.50	1,417 (at 50¢ each)	General Fund
Manchester	25¢ for first hour \$1 for 2 hours		Fines included in Meter Account and allocated to Street Account
Martin	10¢ overparking	120	General Fund
Maryville	1.00	1,500	General Fund

EXHIBIT H ContinuedPARKING METER FINES

<u>City</u>	<u>Fine for Parking Violations</u>	<u>Total Parking Meter Fines (One Year)</u>	<u>Disposition of Fines</u>
Memphis	\$1 for overtime		
Monterey	\$1.00	\$ 74	General Fund
Morristown	1.00		
Mt. Pleasant	.25	(Receipts not separated from Parking Meter Revenue)	General Fund
Murfreesboro	25¢ overtime \$1 other violations	1,200	General Fund
Nashville	\$1 first offense up to \$5 maximum		Included with other fines - General Fund
Newport	.50	123	General Fund
Paris	.50	2,305	General Fund
Portland	50¢ after first time	Small, unspecified amts.	General Fund
Ripley	50¢ overtime	124	General Fund
Rockwood	1.00	162	Meter Repairs, General Fund
Rogersville	1.00	39	
Savannah	1.00	\$0 - \$15 per <u>month</u>	
Sevierville	1.00		General Fund
Shelbyville	25¢ ("This is low, but seems to get the de- sired result")	728	General Fund
South Pittsburg	.50		General Fund
Spring City	50¢ for first or second violations	60 (6 mos.)	General Fund
Springfield	.50	500	General Fund
Sweetwater	.50	Receipts not separated from other fines	General Fund
Trenton	Usually 50¢, vary as to circumstances	173	General Fund (in a few cases into Bond Retirement Fund)
Tullahoma	25¢ for first overtime violation. \$1 across lines.		
Union City	1.00	1,282	General Fund
Winchester	.50		General Fund

EXHIBIT I

PARKING METER RATE SCHEDULES
(for all data which were available through March 13, 1953)

<u>Schedule</u>	<u>No. of Meters</u>	<u>No. of Cities</u>
Combination of 12 min./1¢, 1 hr./5¢, 2 hrs./10¢	11,205	48
1 hr./5¢	3,623	6
Combination of 12 min./1¢, 1 hr./5¢	2,729	13
2 hr./5¢	1,894	6
30 min./5¢, 1 hr./10¢	400	1
12 min./1¢	209	10
2 hrs./5¢, up to 10 hrs./25¢ (off-street only)	170	1
30 min./5¢	155	1
15 min./1¢	115	2
Combination of 24 min./1¢, 2 hrs./5¢, 4 hrs./10¢	100	1
10 hrs./5¢ (off-street only)	100	1
Combination of 3 hrs./10¢, 6 hrs./20¢, 9 hrs./30¢ (off-street only)	63	1
90 min./5¢	42	1
Combination of 24 min./1¢, 2 hrs./5¢	<u>13</u>	<u>1</u>
TOTAL	20,818*	93**

* Rate schedule figures were not available for all cities

**This total exceeds the total number of cities with meters, since some cities have several rate schedules

turnover is rapid. Other cities, such as Ripley and Union City, have used a secondary rate which gives twice the length of time for the same money to encourage parking in the less congested areas. (See Section VIII-5, below, for details). Nashville's curb installation consists of 400 meters timed at 30 min./5¢ and 1 hr./10¢, 560 meters at 1 hr./5¢, and 40 meters at 12 min./1¢.

Generally, the smaller towns feel that more than one rate schedule is unnecessary. The 12 min./1¢, 1 hr./5¢, 2 hrs./10¢ combination so popular in these towns allows much flexibility in use by the motorist, and does not unduly restrict parking turnover. The larger cities, however, recognize that the heart of the central business district warrants a higher rate than marginal areas in order to speed parking turnover and help equalize use over the entire metered zone.

IV. ADMINISTRATION OF PARKING METER PROGRAM

1. Purchase of Meters

The post-war cost of new meters has varied from \$47 to \$80 for the single-headed type, with most of them in the \$65 - \$75 range. Twin-headed meters, which provide for two parking spaces, have cost from \$85 to \$99, or roughly \$43 - \$50 per space. Differences in the meter prices reported are due to the dates purchased, the variety of meters on the market (the automatic style usually runs higher than the manual), and whether the price includes installation.

While the usual practice is for cities to pay for meters from their earnings, those municipalities that have been able to pay cash for the meters obtained up to 5% discount from the price. A number of cities started buying on the installment plan; then paid cash for the unamortized balance. A variation on the method of paying for meters, used in a very small city, was to guarantee the company a monthly minimum per meter of \$2, or 50% of the yield,

whichever were higher. In another case, the company's share of the proceeds rose from 50% to 75% after the first six months.

2. Responsibility for Installation, Enforcement and Maintenance

The establishment of meter zones is a council function and is accomplished by an appropriate section in the meter ordinance. However, the specific location of each meter is usually left to the Police Commissioner, Public Safety Director or Police Chief, who has to consider such matters as proper sight clearances at street intersections. Enforcement of meter ordinance provisions is universally the responsibility of the Police or Public Safety Departments. (For details on installation practices, see Section VIII-4, below).

Repairs to meters are generally made by regular city employees, of various departments, who have been given special instruction in this work. In 29 cities the Police Chief, or men under his command, do the meter maintenance work, while in 6 cities this is done by the Street Department, in 5 by the Finance Department, and in 3 by the Water Department. In one city each, meter repair and maintenance fell to the City Manager, the Fire Chief, the Police and Fire Departments together, and the City Recorder. In Franklin, meters are maintained by the two full-time firemen as part of their regular duties, and approximately every three months a mechanic from the meter company stops in and makes difficult repairs for a fee. In McMinnville, the Chief of Police does all the general meter repair work as part of his regular duties, and once a year a jeweler goes over the meters at a price of \$3.50 each. Union City contracts with a local jeweler for the maintenance of its 197 meters for \$360 a year, plus repair parts. Similarly, Crossville contracts with a private individual for meter repair and maintenance.

In 41 cities, meters are "robbed" (municipalese for "collecting") by the Chief or a member or members of the Police Department, in 6 cities by the Finance Department, in 4 cities by the City Recorder or Clerk, and in 6 other cities by the Police Department and City Recorder or Clerk jointly, the City Manager, or Maintenance or Water Department employees.

3. Integration of Curb Meters and Off-Street Parking

Most Tennessee meter cities, being small, have not felt it necessary to adopt an integrated approach with respect to parking meters at the curb and off-street parking facilities. However, 17 cities, including the state's five largest, did report having taken such an approach, and the information relating thereto is as follows:

Carthage	Used parking meter revenues to provide off-street facilities.
Chattanooga	"Off-street (Parking facilities).... by private companies. Some study has been made to increasing off-street facilities."
Clarksville	Two off-street lots, one owned by city and one leased from private owners. Formerly, there were 63 meters on the leased lot, but they did not pay, so were removed in 1952 and added to the curb installations. The city contemplates selling billboard space in one or both lots to pay for lease.
Clinton	(No details furnished)
Columbia	Columbia formerly had a free off-street parking lot accommodating 15-20 cars, which was open to the public. It is now restricted to doctors' use, in lieu of providing doctors' zones at the curb. The doctors' group pays a token rental to the city of \$12 annually for the lot.
Cookeville	Used parking meter revenues to provide off-street facilities.
Covington	(No details furnished)
Dresden	(No details furnished)
Jackson	In 1950-51, the City of Jackson bought land and built 2 free paved and lighted off-street parking lots. These lots were financed by general obligation bonds, which are to be repaid from general city receipts. During 1952, 170 meters were installed in one of the lots.
Kingsport	"The city has 2 <u>paved</u> parking lots which are free and accommodate 300 cars; another 200 cars on free <u>unpaved</u> lots."

Knoxville	In the Spring of 1952, a municipal parking lot was opened back of City Hall. Approximately 125 meters were installed in summer, 1952. The meters are being paid for by 50% of the monthly receipts; the grading and black-topping of the lot were financed by a budget appropriation from the city's General Fund.
Memphis	Memphis has 3 lots with a total of 285 meters. These meters were installed due to the need for downtown parking space, and city-owned land was available. Two of these lots have 99 and 86 two-hour meters, respectively. The third lot has 100 ten-hour meters. In addition, the Memphis airport has 91 meters in parking spaces nearest the terminal building, which are metered at varying rates for from 30 minutes to 2 hours.
Lebanon	A free 100-car parking lot, located $1\frac{1}{2}$ blocks from the city square has been provided from meter revenues.
Nashville	Two municipal lots now in operation, with 299 meters. Receipts of the 1000 curb meters just installed are pledged, after deducting amortization and operating costs, for municipal off-street parking facilities.
Newbern	City owns and operates two free lighted and paved off-street parking lots, accommodating 100 cars and 6 long-bed farm trucks each. Construction of lots was financed by local businessmen, through pledges, and city cost was only the interest on money borrowed from bank with pledges as collateral. (Details appeared on p. 4 of September 1951 issue of <u>Tennessee Town & City</u>).
Ripley	City owns 3 unmetered parking lots, with a total space for about 150 cars. The citizens were promised free parking lots at the second installation of meters. The city bought two of the lots and already owned the third. Two are black-topped; the remaining one is gravel but will be black-topped later.
Shelbyville	"No off-street meters, but one free parking lot and another contemplated."

V. PARKING METERS AS ENFORCEMENT DEVICES AT CURB

1. Attitude of Public Before and After Meter Installation

There was a wide range in the attitudes of citizens prior to the installation of parking meters, as evidenced by the following comments: "Adverse,"

"Considerable opposition from merchants," "Skeptical," "Majority favored." After installation and a trial period, the following remarks were typical: "90% in favor," "Now accepted," and "Majority satisfied; voted on after six months and meters won 3 to 2."

Here are some samples of the public attitude in particular cities, both before and after installation of parking meters:

	<u>Attitude of Public Before Installation</u>	<u>Attitude of Public After Installation</u>
City A	"Bitterly opposed"	"Highly favorable"
City B	"50-50"	"Not much change in attitude"
City C	"Hostile"	"Somewhat modified"
City D	"Considerable opposition from merchants."	"Favorable on part of most people, except employees who formerly parked cars all day."
City E	"75% against meters"	"90% in favor"
City F	"Majority favored since revenue to benefit schools. Farmers favored."	"Most of complaints from workers in stores, and usual complainers."
City G	"On referendum about 90% voted for meters."	"Highly in favor."
City H	"Skeptical at first. Dis- cussed for 1 or 2 years before installed."	"Good. Little or no opposition."
City I	<u>1st installation</u> "Majority unfavorable"	"Still many unfavorable"
	<u>2nd installation</u> (after citizens were promised free off-street parking lots) "Majority favorable"	"Majority favorable"
City J	<u>1st installation</u> "Large number unfavorable"	"Large number unfavorable"
	(Soon after meter installation, a new Board of Aldermen was elected, pledged to remove meters, which it did after 6-months' trial, although at the time of removal public sentiment was reportedly split about 50-50 on the matter).	
	<u>2nd installation</u> (after citizens were promised that revenues would be used to redeem industrial revenue bonds). "Favorable"	"Favorable"

City K	"Considerable opposition by farmers; business people favored meters"	"Generally accepted now; farmers now approve."
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(The principal reason for the above installation was to prevent certain townspeople and others from monopolizing downtown spaces on Saturdays).

City L	"Some townspeople opposed. Majority of merchants wanted meters; farmers were favorable."	"Accepted now by public."
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2. Effect of Meters on Reducing Overtime Parking and Increasing Turnover

Estimates as to the extent to which overtime parking was reduced after the installation of meters ranged as high as 100%, but generally was 75%. Parking turnover was likewise usually increased by 75%, and sometimes several hundred per cent. EXHIBIT J lists these effects of meter installation for individual cities.

An interesting figure can be computed by applying the percentage of increase of parking turnover for each city against the number of metered parking spaces in that city, and thus arriving at the total number of additional parking spaces made available by the use of meters. Using the percentages available, and assuming a 75% increase for cities not specifically stating a figure, it appears that the equivalent of 16,238 additional parking spaces have become available each day in Tennessee meter cities simply by the increased turnover caused by the installation of parking meters! And this surprising figure does not even include increased spaces made available by the reduction in overtime parking.

VI. LEGAL ASPECTS OF PARKING METER USE

1. The Parking Meter Ordinance

The specific authority for the installation of meters is a city ordinance. Meter manufacturers frequently provide a suggested ordinance for the guidance of local governing bodies. However, appended hereto as EXHIBIT M is a Model Parking Meter Ordinance, prepared by the staff of the Municipal Technical Advisory Service,

EXHIBIT JEFFECT OF METERS ON REDUCING
OVERTIME PARKING AND INCREASING TURNOVER

<u>City</u>	<u>Extent Overtime Parking Reduced.</u>	<u>Extent Parking Turnover Increased</u>
Athens	75%	75%
Bristol	75%	75%
Brownsville	50%	50%
Carthage	75%	
Chattanooga	40% Gave merchants more turnover	75%
Clarksville	75%	over 100%
Cleveland	50%	50%
Clinton	95-98%	75%
Columbia	None	Some
Cookeville	50%	75%
Copperhill	60%	20%
Covington	85%	"Very much"
Crossville	"Has virtually solved the problem" No real effort to limit length prior to meters	
Dayton	90%	90%
Dickson	"It has done away with long period parking on the streets"	over 50%
Dresden	75%	
Dyersburg	"No limit before meters"	80%
Elizabethton	"Greatly reduced"	Greatly
Etowah	100%	50%
Fayetteville		
Franklin	75%	Greatly
Gallatin		
Greeneville	"Great improvement in re- ducing congestion"	

EXHIBIT ContinuedEFFECT OF METERS ON REDUCING
OVERTIME PARKING AND INCREASING TURNOVER

<u>City</u>	<u>Extent Overtime Parking Reduced</u>	<u>Extent Parking Turnover Increased</u>
Harriman	"To a great extent it eliminated all-day parking . . . our greatest problem"	50%
Humboldt	75%	
Jackson	"Only 8% on recent survey were overtime"	
Jefferson City	50%	50%
Jellico	"It has helped to keep the traffic moving"	"On our main shopping street it has in- creased six-fold"
Johnson City	75%	
Kingsport	Great	Great
Knoxville	"Several hundred per cent"	"Several hundred per cent"
LaFollette	100%	100%
Lake City	90%	
Lawrenceburg	"Practically eliminated"	200%
Lebanon	"No record"	"No record"
Lenoir City	"Reduced it a great deal"	"It has helped greatly"
Livingston	"Practically eliminated overtime parking"	
Loudon	90%	50%
McMinnville	50%	200%
Manchester	50%	
Martin	80%	100%
Maryville	30-40%	
Memphis	Unknown, but "Meter Feed- ing" is a problem	Increased in areas of short metering
Monterey	"They have completely solved our parking problems"	
Morristown	75%	100%

EXHIBIT J ContinuedEFFECT OF METERS ON REDUCING
OVERTIME PARKING AND INCREASING TURNOVER

<u>City</u>	<u>Extent Overtime Parking Reduced</u>	<u>Extent Parking Turnover Increased</u>
Mt. Pleasant	"To a minimum"	100%
Murfreesboro	Per cent unknown, but violations greatly reduced	Unknown
Nashville (off-street only)		
Newbern*		Much improvement
Newport	50%	
Paris	All-day parking by merchants and employ- ees discontinued	"Extensively"
Portland		
Ripley	80%	100%
Rockwood	50%	30%
Rogersville	50%	50%
Savannah	75%	75%
Sevierville	75%	75%
Shelbyville	90%	90%
South Pittsburg	"Merchants now parking in alley instead of on street"	"Very much"
Spring City*	80% or more*	80% or more*
Springfield		
Sweetwater	"There isn't any overtime now"	"Many times"
Trenton	"Prior to meters, no time limit"	50%
Tullahoma	90%	
Union City	85-90%	50%
Winchester	75%	"Greatly increased"

* Installed after January 1, 1952

which is based on the best provisions in existing Tennessee meter ordinances. The model ordinance is intended to be complete for the average city using meters at curbs, except that provisions authorizing advertising on meters have been omitted due to the current doubt as to their legality. In addition, for cities interested in off-street meters, there is included as an example (EXHIBIT N), the Nashville parking meter ordinance for its off-street parking lots.

Details of the operation of parking meters are carried out administratively within the authority of the ordinance. In a few cases (McMinnville, Rockwood and South Pittsburg), a referendum of the citizens gave additional authority for the installation or retention of meters. (South Pittsburg's authority for the referendum was Chapter 120, Private Acts of 1951).

2. Legality of Meter Ordinances

The legality of parking meter use has been well established as a valid exercise of the police powers, for the purpose of regulating traffic. This was confirmed in Tennessee's only reported case on parking meters, Porter v. City of Paris, 184 Tenn. 555, in 1947. There have been no unfavorable court opinions in this state.

Due to the fact that parking meter receipts constitute a fairly large proportion of a city's revenues, courts have frequently been called upon to decide the purposes for which such receipts may be used. Early cases construed parking meter fees to be "taxes" and thus beyond the powers of cities to levy, without specific state enabling legislation. This was the opinion of the Court in the cases of City of Birmingham v. Hood-McPherson Realty Co., 172 So. 114 (1937), the second reported parking meter case, and in M. H. Rhodes, Inc. v. City of Raleigh, 9 S.E. 2d 389 (1940) and City of Shreveport v. Brister, 194 So. 566 (1940).

However, other cases, including the very first one reported, State of Florida ex rel Harkow v. McCarthy, 171 S. 315 (Dec. 10, 1936), viewed the fees as licenses and well within the police powers. The opinion of the Supreme Court of Florida, Division A, in this case, is representative of this point of view:

"Undoubtedly a city may not 'make gain under an illegal exercise of the police power,' but it is well settled that a license fee may be of sufficient amount to include the expense of issuing the license and the cost of necessary inspection or police surveillance connected with the business or calling licensed, and all the incidental expenses that are likely to be imposed upon the public in consequence of the business licensed. 'The courts will not seek to avoid an ordinance by nice calculation of the expense of enforcing police regulations, but will promptly arrest any clear abuse of the power.' Atkins v. Phillips, 26 Fla. 281, 8 So. 429, 10 L.R.A. 158, 17 R.C.L. 539."

This approval of using parking meter fees to pay for traffic regulation, plus a warning that meters are not to be used for the purpose of raising general revenues, appears in the sole Tennessee case, Porter v. City of Paris, supra, when the Supreme Court of this state said:

"(quoting 63 Idaho at pages 218, 219, 118 P. 2d 728): ' . . . It is only reasonable and fair to require the business, traffic, act, or thing that necessitates policing to pay this expense. To do so has uniformly been upheld by the courts. On the other hand, this power may not be resorted to as a shield or subterfuge, under which to enact and enforce a revenue-raising ordinance or statute. Cooley on Taxation, 4th Ed., sec. 1680; McQuillin, on Munic. Corp., sec. 987.

"The fact, that the fees charged produce more than the actual cost and expense of the enforcement and supervision, is not an adequate objection to the exaction of the fees. The charge made, however, must bear a reasonable relation to the thing to be accomplished.' (Citing many cases).

"In the present cause the chancellor found that the resolution was intended as a means for the regulation of traffic and parking; that it was not intended for the purpose of raising revenue for the general fund and use of the city; and that the amounts collected are not disproportionate to the expenses involved."

Several other cases have discussed even more emphatically the matter of using meter receipts for general revenue purposes:

In William Laubach & Sons v. City of Easton, 32 A. 2d 881 (1943), the Supreme Court of Pennsylvania warned:

" . . . the municipality must keep in mind at all times that it may not employ this device [parking meters] to raise general revenue under the guise of a police regulation."

In Owens v. Owens, 8 S.E. 2d, 339 (1940, Columbia, S. C.), the Supreme Court of South Carolina said:

"We think that it is clearly the law that a regulatory measure of this kind may produce only such revenue as is reasonably necessary to defray the expense connected with its operation, and that an ordinance passed for the real purpose of raising revenue, under the guise of obtaining funds for the enforcement of a police regulation, is invalid."

In at least two instances, courts held that excessive receipts over and above that needed for traffic control would invalidate an ordinance:

In DeAryan v. City of San Diego, 170 P. 2d 482 (1946), the District Court of Appeal, Fourth Calif. District, upheld the use of a parking meter ordinance

"so long as the object of the ordinance is the regulation of traffic and not the raising of revenue, and as long as any possible surplus or profit is both incidental and not disproportionate to the cost and scope of the regulation thus carried into effect."

In Ashley v. City of Greensboro, 58 S.E. 2d 815 (1950), the Supreme Court of Georgia said:

"To establish that a parking meter ordinance is a 'revenue measure' and hence invalid, it must appear that the scheme of the ordinance is such that receipts will continuously and by a substantial amount exceed the cost of installation, maintenance and regulation."

In a Kentucky case, it was held that excessive meter receipts would justify the Court reducing the parking meter rates. While this might avoid the objections to the obtaining of "general revenue" from the fees, such a reduction might result in more meter "feeding," less turnover in parking at meters, and more traffic congestion.

The case here referred to is City of Louisville v. Louisville Automobile Club, 160 S.W. 2d 663 (1942), in which the Court of Appeals of Kentucky said:

" . . . Furthermore, if it should develop that proceeds from the fees collected for use of the meters be so excessive as to actually constitute 'revenue' as the word is applied, the court would have the power to require a reduction so as to remove the objectionable feature."

On the other hand, one of the most liberal definitions of traffic regulation uses to which meter receipts may be applied, is that of Hickey v. Riley, 162 P. 2d 371, (City of Portland, 1945), when the Supreme Court of Oregon held:

"The moneys derived from the operation of the meters have been expended for the purposes stated in the ordinances, as amended. Included in such purposes is the installation and maintenance of traffic controls, throughout the

city. Such traffic controls include traffic signals, safety islands, street marking to direct traffic, tunnels for pedestrian use under dangerous intersections, the salaries of police officers engaged in policing parking meters and investigating traffic accidents, purchase of automobiles and other necessary equipment for the use of such officers, and the expense of remodeling the police station to provide facilities for handling cases of violation of traffic regulations

"We think that it is beyond question that the ordinances were enacted primarily for traffic regulation and not for revenue. The fact that, in the operation of the meters, a revenue has resulted, does not, in itself, classify the ordinances as revenue measures. . . . The right to apply the revenue not only to the narrow and restricted purposes of the mere installation, operation and maintenance of the meters, but also to the broad purposes of general traffic control where authorized by the enabling ordinances, has been upheld in a number of well-reasoned decisions."

Tennessee cities using parking meter receipts for "street purposes" will be cheered by the following case, one of the early decisions:

A summary of the opinion of the Court of Civil Appeals of Texas, at Fort Worth, in Harper v. City of Wichita Falls, 105 S.W. 2d 743, in 1937, states:

"Under ordinance of home-rule city providing for maintenance of parking meters on certain streets as traffic regulation, for free right of ingress and egress, and for parking fees, to be used primarily to pay for installation and maintenance of meters and secondarily for maintenance of streets, petition of jeweler operating business on street affected, alleging only in general terms, conclusion that fees collected were excessive for maintenance of meters, and failing to allege that fees were excessive for maintenance of streets, held insufficient to authorize temporary injunction restraining enforcement of ordinance as unreasonable police regulation."

It does seem that the trend of court decisions, generally, is to allow a more liberal use of parking meter receipts than heretofore. For example, the Supreme Court of Florida, in State v. City of Daytona Beach, 42 So. 2d, 764 (1949) has upheld the right of a municipality to pledge the excess revenue derived from parking meters to the payment of street paving bonds, although the Court did not pass on the question of "whether a municipality may collect from the public using its parking meters an amount in excess of that reasonably necessary to defray the costs attendant upon the exercise of the police power involved."

The most recent reported court case upholding the use of parking meter revenues for the provision of off-street parking facilities is Poole v. City of Kankakee 94 N.E. 2d 416 (1950), Supreme Court of Illinois. In summarizing this case it was

stated that the "fact that an ordinance pledged income from existing parking meters in a city to the payment of bonds issued for the purpose of securing property for off-street parking facilities did not render ordinance invalid."

While an early case, Kimmel v. City of Spokane, 109 P. 2d 1069 (1941) (Supreme Court of Washington) stated that:

" . . . since the declared purpose of the ordinance is regulatory, the court will not go behind the legislative declaration in the absence of evidence tending to show that the declaration is sham, and that the ordinance is, in reality, a revenue measure,"

this point of view is more the exception than the rule. Tennessee cities pledging, or planning to pledge parking meter receipts to non-traffic or non-street purposes should take heed of the warning given in Willhoit v. City of Springfield, 171 S.W. 2d 95 (1943), (the Springfield Court of Appeals of Missouri), as follows:

"The evidence also tended to show that prior to and at the time the parking meter ordinance was passed the purpose of defendants was to collect a sufficient amount from the meters, over and above the expense incident to the regulatory provisions of the ordinance, to enable the city to reduce or repeal the gasoline tax then being collected. If that was the purpose in adopting the ordinance we would be constrained to say in the language of Judge Sturgis . . . 'This may be a laudable purpose from one standpoint, but from a legal standpoint it constitutes legal fraud.'"

The Court did go on to state:

"However, we are inclined to take the more charitable view that the primary purpose was to solve the enormously difficult and perplexing problems incident to growing traffic.

"Therefore, the ordinance should not be construed as a revenue measure unless the receipts from the meters be so substantially in excess of the amount required for the purposes mentioned in the ordinance as to take said operation outside of police regulation."

The pledging of parking meter receipts for non-traffic and non-street purposes thus appears to be illegal. Therefore, it is important for Tennessee municipal officials not to pledge meter revenues for a non-traffic or non-street purpose, but

explain to the public, if necessary, that the use of meter earnings for the traffic control program will release general revenues for the specified non-traffic purpose.³

The question of whether advertising on parking meters is legal will be discussed in the next section.

VII. ADVERTISING ON PARKING METERS

1. Advertising Methods

The latest major innovation to hit the parking meter world is the use of advertising on meters, as an additional source of municipal revenue. The development of this new medium of sales appeal has been accompanied by patent disputes between meter advertising companies, wails from beauty-conscious citizens that advertising signs are not aesthetic, arguments that the extra revenue is a boon to financially hard-pressed cities or an aid to worth-while charities, and, above all, debates among attorneys on the legality or illegality of meter advertising.

³ Court decisions not mentioned in this section, but bearing on the matter of the disposition of meter receipts, are:

Andrews v. City of Marion, 47 N.E. 2d 968, 221 Ind. 422
Bowers v. City of Muskegon, 9 N.W. 2d 889, 305 Mich. 676
Cassidy v. City of Waterbury, 33 A. 2d 142, 130 Conn. 237
City of Decatur (Ala.) v. Robinson, 36 So. 2d 673
Ex parte Duncan, 65 P. 2d 1015, 179 Okla. 355
Gardner v. City of Brunswick, 28 S.E. 2d, 135, 197 Ga. 167
Glodt v. City of Missoula (Mont.), 190 P. 2d 545
Hendricks v. City of Minneapolis, 290 N.W. 428, 207 Minn. 151
Hughes v. City of Phoenix (Ariz.), 170 P. 2d, 297
Opinion of the Justices (N.H.), 51 A. 2d 836
People v. Lang, 106 N.Y.S. 2d 829

That the device has unusual possibilities is shown by the experience of Havre de Grace, Maryland. In this city, the mayor appointed a committee to sell advertising on meters to local merchants as well as larger advertisers, and the revenue thereby obtained will defray the cost of parades, Hallowe'en and Christmas parties for children, and Fourth of July celebrations. Besides getting some advertising for their money, the merchants avoid the annual appeals for donations to stage these events.

As can be seen in EXHIBIT K, only one city in Tennessee at present, Tullahoma, has advertising in use on its parking meters. However, six other cities have signed contracts and are awaiting installation. On the other hand, five Tennessee cities have either removed the advertisements, ordered them to be removed, or the advertising contract expired before the ads were placed.

There are two basic types of meter advertising devices in use. One consists of three 6" x 8" signs, made of enameled metal or masonite, placed in a triangular position on the post beneath the meter. The other is a metal frame of 6" x 9" size, with glass windows to exhibit the advertisement, placed on top of the meter-head and facing both ways.

Advertising rates run approximately \$4.50 per month per meter for local advertising, and slightly less for national advertising. (This is based on \$1.50 per sign for each of the three signs in the below-meter triangular arrangement, and \$2.25 per sign for the two-sided sign on top of a meter). Sale of advertising is generally handled by a local citizen or civic club, and the city receives 20-25% of the gross receipts.

2. Legality of Advertising on Meters

The Consultant on Municipal Law of the Municipal Technical Advisory Service pointed out in an issue of Tennessee Town & City of a year and a half ago⁴ that

⁴ September 1951, p. 11

COMMERCIAL ADVERTISING ON PARKING METERS
(Known as of January 26, 1953)

<u>City</u>	<u>Advertising Rates</u>	<u>Revenue Received by City</u>	<u>Disposition of Revenue</u>	<u>Design of Advertisement</u>	<u>Remarks</u>
<u>IN USE</u>					
Tullahoma		On 9/30/52 City received \$465.20, pre- sumably for first quar- ter of use	General Fund	Three 6"x8" signs placed in triangu- lar position on post be- neath meter	Lions Club is per- mitted to sell ads, and City gets 20% of receipts
<u>PENDING</u>					
Knoxville			General Fund	Approx. 6"x9" sign placed on top of meterhead, facing both ways	Contract signed Dec. 17, 1952, gives city 25% of gross re- ceipts
Lebanon	50¢ per month per meter		General Fund	(Same as Knoxville type)	Not yet installed, as of 1/26/53. Ad representative in- dicated verbally he would not be able to fulfill terms of contract
McMinnville	50¢ per month per meter		General Fund	(Same as Knoxville type)	Not yet installed, as of 1/26/53. Ad representative in- dicated verbally he would not be able to fulfill terms of contract
Portland	50¢ per month per meter		General Fund	(Same as Knoxville type)	Not yet installed, as of 1/26/53. Ad representative in- dicated verbally he would not be able to fulfill terms of contract
Union City	\$1 per month per sign (3 signs per meter)	20% of gross receipts		(Similar to Tullahoma type)	A local man has contract with City whereby he would sell and install ads. None in- stalled, however, as of 1/26/53; nor has contract been revoked
Winchester		20% of gross receipts		(Same as Tullahoma	Not yet installed, as of 1/26/53

EXHIBIT K Continued

COMMERCIAL ADVERTISING ON PARKING METERS
(Known as of January 26, 1953)

<u>City</u>	<u>Advertising Rates</u>	<u>Revenue Received by City</u>	<u>Disposition of Revenue</u>	<u>Design of Advertisement</u>	<u>Remarks</u>
<u>REMOVED, ORDERED REMOVED, OR CONTRACT EXPIRED WITHOUT ADS HAVING BEEN PLACED</u>					
Clarksville		\$267.20	General Fund	(Same as Tullahoma type)	Lions Club was permitted to sell ads, and City got 25%. However, removed since Lions Club couldn't sell enough ads
Covington		Very little	General Fund	(Same as Knoxville type)	Meter advertising was installed in late 1951 or early 1952, and was removed during 1952 after about 6 months' trial. Reasons for removal: too little revenue to city for space used, and citizens objected to having to put coins in a device that was used for advertising
Franklin		None		(Same as Tullahoma type)	Junior Chamber of Commerce was permitted to place ads. National advertising used. Jaycees and city received very little, so ads were removed
Gallatin		None		(Same as Knoxville type)	A contract was let, but no advertising placed. Contract has expired.
Ripley	\$1 per month per meter guarantee, even without advertising. If advertising is installed, city also to get a percentage of ads sold	Advertising frames were installed in fall of 1950 or early 1951, but as of 1/26/53, no payments of any kind have been received by the city		(Same as Knoxville type)	Company was requested by city in May 1952 to remove advertising frames, but had not done so as late as 1/26/53. While awaiting ads, city used frames for blood donor, polio, March of Dimes, and safety campaigns.

while there has been no court decision on the validity of such advertising, in cases involving similar types of advertising (outside of Tennessee), such advertising has been declared illegal. For example, ordinances authorizing paid advertising on signs or trash receptacles placed on sidewalks have been held invalid.

Private advertising on parking meters placed within the rights-of-way of urban extensions of the Federal-aid system is illegal, it is reported.⁵

In March 1950, the Attorney-General of the State of Washington ruled that municipalities are not authorized to lease or grant the right to use parking meters for advertising purposes.⁶

The Chairman of the Municipal Law Section of the American Bar Association has written an article in the "Law Service Letter" expressing the view that advertising on parking meters is illegal. Also, in our neighboring state of Alabama, the attorney for its League of Municipalities has recently published a detailed opinion which reaches the same conclusion.⁷

Cases and rulings cited⁷ in support of the opinion that such advertising is illegal, are:

People of the State of Illinois ex rel John J. Healy et al v. the Clean Street Company et al, 225 Ill. 470, 80 N.E. 298

City of Decatur v. Robinson et al, 36 So. (2d) 673

McQuillin Municipal Corporations, 3rd edition, Vol. 7, Section 24.394

⁵ Section 1.17 of the Regulations for Carrying Into Effect the Provisions of the Federal-aid Highway Act, reported in AMA-HRB-BPR report "Parking Meters - Their Number, Revenue and Use," Jan. 1953, p. 16.

⁶ Reported in Public Management, October 1952, p. 237, The International City Managers' Association.

⁷ Municipal Information, February 7, 1953, pp. 25-27, The Alabama Municipal League.

City of Birmingham v. Holt, 239 Ala. 248, 194 So. 538

State ex rel Belt v. City of St. Louis, 161 Mo. 371, 61 S.W. 658, 662

Matthews v. City of Alexandria, 68 Mo. 115 (30 Am. Rep. 776)

Cooley, Const. Lim. (6th ed.) 247-253

Gale v. Village of Kalamazoo, 23 Mich. 344 (9 Am. Rep. 80)

City of Oakland v. Carpentier, 13 Cal. 540

Fifth Avenue Coach Co. v. City of N. Y., 111 N.Y. S. 759

Hatfield v. Straus, 189 N.Y. 208

64 C.J.S. 142

State v. Hutchinson, 144 Kan. 700, 62 Pac. (2d) 865

Bloomington v. Weirich, 311 Ill. 347

In Tennessee, streets can be dedicated for public purposes only. The same requirement also applies to the use of street rights-of-way obtained by condemnation. For this reason, advertising on meters, meter posts, trash cans, benches at bus stops, etc., would be illegal since they constitute private, rather than public, use of the streets. It is believed by some persons, however, that such advertising would be legal if consented to in writing by the abutting property owners.

Enabling legislation authorizing cities to permit advertising on parking meters was passed by the Kentucky Legislature in 1950 and by the Mississippi Legislature last year. The effective portion of the Mississippi act (Chapter 374, Laws of 1952) is as follows:

"The governing authorities of any municipality are hereby authorized and empowered to permit the placing of advertising signs upon parking meters or parking meter posts and to contract with any individual or company for the rental or lease thereof, as they may find advantageous to the municipality. The signs shall be placed in compliance with rules and regulations set out by the governing authorities of the municipality, and shall be placed in such manner so as to not obstruct the view of the street, the operation of the meters, or endanger the cars or the drivers thereof parking in front of or near the meters, or pedestrians using the sidewalks upon which the meters are located. The governing authorities shall require any

person placing advertising signs upon parking meters or parking meter posts to enter into such contracts of insurance as may be necessary to protect the municipality or any person from any loss or damage caused by the presence of the advertising signs. All monies received by the municipality pursuant to the contract of lease or rental entered into shall be placed in the general fund of the city and expended for such purposes as may be authorized by law. Provided, however, the provisions of this legislation shall not apply to municipalities in counties bordering on the Gulf of Mexico with a population of more than 80,000."

However, there is no legislation in Tennessee specifically permitting advertising on meters.

The Municipal Technical Advisory Service recommends that Tennessee cities do not proceed with the installation of advertising on parking meters unless, and until, appropriate legal sanction is provided by legislation or court decisions. No opinion on the points of aesthetics or the suitability of raising revenue from such sources is here made, since it is felt that these are matters strictly of local preference.

However, cities feeling that there is sufficient legal authority for adopting meter advertising should take two preliminary precautions, justified by recent experience, before signing a contract:

1. Investigate the credit rating and general reliability, not only of the advertising representative (who may be a well-known local citizen), but of the parent advertising company itself.
2. Insert protective provisions in the contract to the effect that:
 - (a) if, after _____ months (for example, 6 months), paid advertising signs have not been placed on at least _____% (for example, 30%) of the posts, the contract is void; and
 - (b) if payments are not received in the percentage and at the times specified, the city may terminate the agreement.

VIII. SUCCESSFUL PRACTICES IN TENNESSEE CITIES

In the application of the parking meter device to the traffic problem, municipal officials have utilized typical American ingenuity to make a hard job easier, a complicated task more simple, an expensive operation cheaper. The following is a list of successful practices devised or adopted by Tennessee cities, as revealed by the parking meter questionnaire returns or personal visits to the municipalities. Not all these methods would be desirable, or even feasible, in every Tennessee city, but they may be provocative of thought on improving a municipality's present method of parking meter operation.

1. "Selling" Meters to the Public

Publicity. Local newspapers have been the most frequent vehicle for getting across to the public information on the operation of parking meters. Discussions before civic clubs by city officials have also assisted in the dissemination of this information. During the early days of installation in many Tennessee cities, only a nominal fine of 5¢ was assessed, which the violator was required to deposit personally in a meter head in the police department, in order to instruct him further in the use of the meter, and to serve also as a gentle reminder that the meter ordinance was being enforced.

Earmarking Meter Revenues for Specific Purposes. In several Tennessee cities revenues from meters were pledged for specific public purposes even before installation of the devices. Ripley pledged the receipts to the provision of free parking lots, Trenton to the redemption of industrial revenue bonds, and Martin to replace funds used to purchase a fire truck. The legality and desirability of such measures has already been discussed, but suffice it to say that earmarking meter revenues in advance has occasionally proven a successful "selling device."

Referenda. Some cities have consolidated public opinion and obtained voter sanction of meters by holding a referendum before installation. McMinnville held such a vote, and meters won by the decisive count of 517 to 81.

Trial Basis. The fact that the average meter purchase contract calls for a six-months' trial period before final acceptance is a helpful factor in gaining public approval.

2. Purchasing Meters

Selecting Make. A city contemplating meter installation should receive quotations and examine the products of a variety of meter manufacturers. It should determine which is the most advantageous brand in terms of initial and maintenance costs, durability against weather and vandalism, convenience of operation, ease of converting to other time schedules, whether additional meters can be purchased in the future at the same or lower price, and other important considerations.

A good example of careful analysis of the merits of different meters is the recent Nashville experience. The Nashville Parking Board took three major steps in determining the best type for its 1000-meter installation. (In modified form, this procedure can be followed by any city, regardless of size):

1. The Board studied the experience of other municipalities, including first-hand observation in other cities.
2. In a special meeting, representatives of meter firms demonstrated their products -- of both manual and automatic, single and twin types -- before the Board and the Advisory Committee mentioned below.
3. Samples of the meters were then given to an Advisory Committee, headed by the Dean of the School of Engineering of a well-known university, for exhaustive mechanical tests.

Buying for Cash, With Discount. Cities able to pay cash for meters have obtained discounts. Columbia, Kingsport and Gallatin reported 5% discounts and Mount Pleasant 3% by such method of purchasing.

Purchasing Used Meters. Union City paid \$50 each in February 1950 for used meters from Florence, Alabama, with an "as new" guarantee, and paid the company for them on the usual 50-50 basis. The saving amounted to over \$10 per meter, as compared with the price of new ones.

3. Selecting Meter Sites

The usual procedure is four-fold:

1. The City Council determines that meters are needed.
2. The meter manufacturer selected suggests appropriate boundaries for the meter zone. (Meter representatives are inclined to be conservative in recommending the actual number of meters to be installed, since too many meters would spell an uneconomic operation which is neither to the interest of the meter company or the City).
3. The Council, on the basis of its own knowledge and the meter company's recommendation, defines the exact boundaries of the meter zone.
4. The responsibility for the locating of each individual meter is generally left to the Chief of Police, sometimes together with the Public Works Director.

4. Installing Meters

The most economical and efficient way to install meters initially appears to be by city crews working under the direct supervision of a meter company representative. Thereafter, the city forces can make additions to the system under local direction.

In McMinnville, the Street Department made the initial installation. Assistance is, however, given by the Water Department, especially on repairs to bent posts, as time permits. The Chief of Police of Clarksville sounds a warning that in installing meter posts, both for parallel and diagonal parking, set them far enough back on the sidewalk to prevent them being rammed by the bumpers of trucks.

Murfreesboro has found that a diagonal parking space for one car can be delineated for a total cost of only 69¢, plus labor, using heavy gauge steel discs of 3-inch diameters, with baked yellow enamel surface. The discs sell for 10¢ each, plus special nails at 1½¢ each, and no plastic cement is required. As these

discs will last indefinitely, they are cheaper than painted stripes in the long run. However, Murfreesboro has discovered that the buffing action of vehicle tires will remove the paint from discs used in crosswalks within a few weeks. For crosswalks, therefore, a city might consider the alternative use of the tough discs made of solid yellow or white plastic.

5. Utilizing Varying Rate Schedules

Shorter Time Limits at Banks, Post Offices, etc. Many cities, both large and small, have found that quick turnover can be assured at banks and post offices, whose customers are numerous but stay only briefly, by restricting parking in front of such buildings to 10, 12 or 15 minutes. Clarksville and McMinnville do not meter post office curbs, but do limit such parking to 10 minutes.

An unusual method of metering parking at banks is used in Clarksville. There are meters in front of the city's two banks, but parking is free for customers, as the banks pay the city the value of the meter time used. One bank slips boxes over the meter heads; the other employs two police officers in their off duty hours to see that only customers make free use of the meters.

Longer Parking Allowed in Less Desirable Locations. Ripley and Union City deliberately encourage motorists to park in other than the most busy part of the business district, by doubling the time limit for the same price. In Ripley, the longer time period applies to the meters in the traffic islands in the four streets bounding the Court House Square, thus relieving the demand for the curb meters immediately in front of the businesses on these streets. In Union City the double length zone is on a secondary business street.

Painting Meter Posts to Distinguish Various Time Limits. Memphis and Clarksville are two Tennessee cities utilizing the painting of meter posts different colors to indicate the maximum time limit allowed by each meter. Aluminum color is commonly used for the most frequent time schedule, due to the relative cheapness of aluminum paint and the fact that most meters are originally installed on galvanized steel posts having a similar shade.

6. Loading Zones and Monthly Permits

Monthly Permits for Particular Spaces. The common practice in handling the problem of truck unloading zones in metered areas is to remove the meter head from the post, paint "LOADING ZONE" on the pavement or on a sign to be affixed to the post, and make no charge for such use, it being the rule that a loading zone is provided only for a business without an accessible loading space to the rear of its building. Other cities allow trucks to load and unload in front of any meter, without deposit of coins.

However, since these practices can cause traffic congestion as well as complaints that such free use discriminates against other motorists, several Tennessee cities sell loading zone permits.

In Springfield, meter spaces are rented from the city, through the Police Chief, at \$4 per month each, whereupon the meter head is removed from the post and replaced by a sign reading "Loading Zone Permit." A similar procedure and the same permit fee are used in Trenton, where approximately 20 persons rent loading spaces. A variation of this is in Murfreesboro, where truck loading zones are rented for a one-time price of \$10.50 for an indefinite period, and the holder of the permit, not the police, is obliged to keep the space clear of the vehicles of other owners. This self-enforcement requirement has restricted the purchasers of such permits to just those most needing them.

In Fayetteville, persons requesting loading zones for delivery trucks may, upon payment of a monthly \$4 fee, have the meter head removed. If the head is not removed, and the merchant's store does not have a back entrance, the permanent rectangular sticker illustrated at the bottom of EXHIBIT L is purchased and affixed to the using vehicle's windshield.

Taxi stands are generally treated like other loading zones in a number of cities. In Fayetteville they pay a monthly fee of \$5.00 for a space appropriately marked and located away from the Court House Square. In Clarksville,

EXHIBIT L

however, cab operators must provide off-street taxi stands as street stands are not permitted. Doctors and nurses are also sometimes provided parking spaces, either for their own or patients' cars, at a \$4 monthly fee per space.

Some cities do not feel that renting parking spaces for a monthly fee is a desirable practice since it tends to encourage all-day parking in one spot. This is the view of the City of Portland. Franklin formerly rented parking spaces to any person at a monthly fee of \$5, but abandoned the practice as it became so popular that it defeated the objective of obtaining parking turnover. Now Franklin sells these permits only to businesses without back entrances.

Monthly "Roving Permits." In order to gain greater public acceptance for parking meters by making parking more convenient, Trenton, Fayetteville and Franklin adopted monthly "Roving Permits." These allow unlimited parking at any meter in town for a monthly fee of \$4 in the case of the first two cities and \$3 in the case of Franklin. The permit is evidenced by a sticker affixed to the inside of the car's windshield. These cities have found such permits popular with insurance representatives and others who have to move about a lot and would otherwise be constantly bothered by "feeding" meters.

The Trenton roving permit was adopted for the benefit of persons who live outside the city but work inside. Since there are no off-street parking lots available, these permits avoid the necessity of "meter feeding." Since only 80 of the permits have been issued, there has been no undue restriction on availability of parking space or parking turnover. The Trenton permits are printed locally, are serially numbered, and are permanent. (See EXHIBIT L for sample). They are not transferable; when a person sells his car, the new owner is prohibited from using the permit, but the seller may obtain a duplicate sticker at no extra charge. The fee of \$4 is collected monthly by the city employee in charge of maintaining, repairing and collecting from the meters. A new purchaser pays a pro rata share of the monthly fee if the permit was not purchased on the first day of the month.

Like Trenton, the Franklin roving permits are serially numbered, and are not reissued on the payment of each month's renewal fee (see sample in EXHIBIT L). The roving permit system has proven financially satisfactory, it is reported.

Unlike the two preceding cases, the Fayetteville roving permit is not serially numbered, but is renewed monthly with an appropriate color change (see sample in EXHIBIT L). About 100 of these permits are sold each month, their popularity being in part due here also to the absence of off-street parking facilities. In view of the monthly renewal of stickers, Fayetteville has not had to concern itself with the effect on the program of vehicle transfers. The stickers are purchased at City Hall. Half month stickers can be purchased for \$2. Another difference from the Trenton and Franklin stickers is the restriction printed on the back of each Fayetteville permit, as follows:

"This permit is valid for the month designated on front and is good for legal parking anywhere in the city without charge, except the outside curb of the Public Square, or facing the business houses. When parking against the outside curb of the Public Square meter fees will be required."

7. Courtesy Tickets for Tourists

Courtesy tickets are frequently issued to tourists for minor parking violations in communities where there are not great numbers of out-of-state cars. The following Franklin notice is an example:

Town of Franklin, Tennessee

You have unintentionally violated our parking meter regulation, but THIS IS NOT a notice to appear in court for same. We appreciate your stopping in our city and hope that you will visit us again.

Police Department

Other cities (such as Clarksville and Murfreesboro), close to military camps and air fields whose soldiers commonly drive out-of-state cars, and municipalities (like McMinnville), with part-time local residents owning cars licensed in other

states, do not find courtesy tickets to be practical. Nevertheless, bona fide tourists found violating minor parking rules in such cities are treated with consideration.

8. Meter Maintenance

Most Tennessee cities assign meter maintenance to a city employee as part of his regular duties. If he is required to put in extra hours on this work, it is customary to reimburse him for such additional time. It is best to select an employee who has some mechanical aptitude and enjoys working with clock mechanisms.

The meter repairman is sometimes sent to the factory to learn how to maintain the meters; in other cases the clock mechanism is sent to the factory for repairs which cannot be made with ease locally. Still other cities have major repairs made by traveling representatives from the factory, or sign a contract with a local jeweler for a periodic inspection and repair of all meters.

9. Enforcement of Ordinance Provisions

The average Tennessee city checks its meters for parking violations periodically, usually hourly, using a uniformed police officer, on foot. This meter patrol is done on a part-time basis in small communities, but requires one or more full-time person in the bigger cities. No city indicated that this work was done by women members of the police force, or by special male policemen limited to this one function, although operating economies might thereby result.

10. Techniques Used to Speed Payment of Fines

Increasing Fines If Not Paid Promptly. Some cities have found that the most effective way to speed the payment of fines for parking meter violations is to increase the fine, if it remains unpaid after a reasonable time has elapsed.

In Clarksville, the fine is 50¢ if paid within 24 hours. Thereafter a card is mailed by the Police Chief to the car owner stating that on a particular date

a summons tag was placed on his car for a traffic violation of (described), and that if said owner fails to appear in City Court, a warrant for his arrest will be issued. Fines for persons failing to respond to this card, and necessitating issuance of a warrant, have been running between \$5 and \$10.

In Murfreesboro, if the nominal fine is not paid within 48 hours, a notice similar to that described above is mailed to the car owner and the fine is automatically doubled.

Gallatin employs the psychology of "reducing" a fine for prompt payment. Normally, the fine for overparking is 50¢, but if the ticket is brought to the City Recorder's office within 2 hours, the matter may be disposed of by depositing 10¢ in a meter head placed on the office counter.

Envelope-Type Tickets for Mailing Fines or Placing Them in Street Penalty Boxes. Some cities use an envelope-type parking violations ticket, so that the motorist can slip the required fine in the envelope and mail it to the City Hall.

A new and growing application of the envelope system is the provision of penalty boxes at convenient street locations, into which the envelopes containing the fines can be readily placed. While no Tennessee city has yet reported having adopted this innovation, Pittsburg, Kansas, is said to have more than doubled its revenue from overparking fees by providing a penalty box for every eight parking meters, and this increase resulted in spite of allowing a 50¢ penalty to be placed in the box instead of the usual \$1.

11. Equipment Used in Collecting from Meters

The equipment used by Tennessee cities in collecting from meters is so varied and so ingenious, that one could devise a most interesting parade of "Contemporary Fashions in Equipment." In most cases, some readily available container was converted into a collecting device at an extremely modest expenditure. Here are some sample uses:

Clarksville	A leather satchel, with shoulder straps. (Found to be faster than a cart).
Franklin	A small metal tub, placed on a grocery cart donated by a local grocery store.
Gallatin	A shoulder bag.
Lebanon	A home-made cart, consisting of a country milk can placed on a one-handled, two-wheeled frame.
McMinnville	A commercially-made coin collecting cart. (However, placing the intake funnel under each meter coin box proved to be slow, so now a tin can is used to collect from several meters, then dumped into the cart).
Memphis	Memphis uses sealed coin boxes. Small suit-case like containers are employed to carry empty coin boxes to the meters and bring back the full ones.
Murfreesboro	A commercial coin collector, with a rotary sieve that separates pennies from nickels.
Portland	A shoulder bag converted from a surplus Army gas mask carrier.
Springfield	A metal cart, resembling a two-wheeled lawn wheel barrow, fitted with a metal cover, intake funnel, and locking pouring lip.
Tullahoma	A 10-quart metal bucket.

12. Counting Coins from Parking Meters

Many cities with any substantial meter income own coin counters to separate, count and wrap the coins. Since coin counters which separate the coins are somewhat more expensive than those which do not, a separator box with penny-size holes can be used to separate pennies from nickels. When shaken like a sieve, the 1¢ coins fall through the holes, leaving the 5¢ ones above. Franklin borrows the local bank's coin counter for its periodic counting job.

13. Accounting for Parking Meter Fines

It has been recommended that cities should serially number their parking meter tickets and account for the meter fines separately from other fines. It is not known how many Tennessee municipalities use serially-numbered meter tickets, but a number of cities do account separately for the fines.

14. In Conclusion

There are several new ideas used in other states, but not yet adopted in Tennessee, which are worthy of mention before closing. Salt Lake City, Utah, is experimenting with a "meter eraser," which will prevent a motorist from using unexpired time left by a preceding driver. The invention works by pressure whereby a car backing from the curb trips the meter indicator back to zero.⁸ White Plains, New York, has installed coin-changers in its off-street metered parking lots and has found that increased patronage has resulted.⁹ Alhambra, California, rents hoods for use on parking lot meters only, for \$3.50 per month each. The hoods are not for designated spaces but can be used on any vacant meter.⁹

Meter "feeding" - the repeated placing of coins into a meter so as to extend the use of the parking space beyond the legal time limit allowed - continues to be a problem in America's largest cities, including Memphis. Some cities, such as Montgomery, Alabama, have had to revert to the former practice of having policemen mark tires in order to discourage meter "feeding."

In closing this section on Successful Practices, there can be repeated here by way of summary the "Hints for Successful Operation" listed in a Special Bulletin¹⁰ of the Municipal Finance Officers Association of nine years ago, but still quite applicable:

HINTS FOR SUCCESSFUL OPERATION

USE ONLY WHERE NECESSARY - find the parking trouble spots.
PUBLICIZE - inform civic groups, newspapers, the general public, and all city departments of meter uses and operation.
BUY CAREFULLY - get bids from several companies - take time to consider all factors.
KEEP IN OPERATION - out-of-repair meters are a dead loss to the city.
ENFORCE PARKING REGULATIONS - no enforcement - no revenue.
CONTROL COLLECTIONS - make sure the city gets all the motorist pays.

⁸ Reported in February 1953 issue of Western City, p. 29.

⁹ From article Parking - Guide Post to Municipal Action, by Ben Solomon, American Municipal Association, as reprinted in "The Nebraska Municipal Review," issues of May through August 1952.

¹⁰ Special Bulletin 1946 F, entitled "Parking Meters - Their Use for Traffic Control and Revenue," Municipal Finance Officers Association of the United States and Canada, March 1946.

EXHIBIT M

MODEL PARKING METER ORDINANCE

AN ORDINANCE relating to traffic and regulating the use of public streets of the city of _____,¹ Tennessee, providing for the installation, regulation and control of the use of parking meters and parking meter zones; defining parking meter zones; authorizing a method of payment for parking meters and the installation thereof exclusively from the receipts obtained from their operation; providing for enforcement and penalty for violation of this ordinance; and providing that invalidity of part shall not affect the validity of remainder.

BE IT ORDAINED BY THE CITY OF _____,¹ TENNESSEE, that:

SECTION 1. SHORT TITLE. This ordinance shall be known as the "Parking Meter Ordinance."

SECTION 2. DEFINITIONS. The word "vehicle" as used herein shall mean any device by which any person or property may be transported upon a highway. The word "city" shall mean the city of _____.¹

¹ Insert name of city. Substitute the word "town" if the municipality is incorporated as a town.

SECTION 3. PARKING METER ZONES. (a) The following described streets or parts of streets in the city are hereby designated and established as _____² parking meter zones, to wit:³

(b) Said parking zones are further divided into _____⁴ parking zones and _____⁴ parking zones as follows:⁵

SECTION 4. CONSTRUCTION, INSTALLATION AND MAINTENANCE OF METERS. On the streets so designated, except in front of alleys, driveways, garage entrances, filling station entrances, theater entrances, the Fire Department, and officially designated "No Parking," loading and unloading zones, the _____⁶ of the city shall provide for installation of meters, including curb or street marking lines, regulation and operation thereof, and shall cause said meters to be maintained in good workable condition. Meters shall be placed next to individual parking places. Meters shall be so constructed as to display a signal showing legal parking upon deposit therein of the proper coin, or coins, of the United States as indicated by instructions on the

² If there is to be only one time zone for the entire city, insert here the time limit to be used, such as, "one-hour." Then, omit the next sentence, which begins "Said parking zones are further divided," and also omit the description which would normally follow, and the subsection designations (a) and (b).

³ List the streets or parts of streets to be included within parking meter zones, for example: "First Street, between Apple and Cedar Streets; Second Street between Apple and Fir Streets; Apple Street between First and Seventh Streets"; etc.

⁴ Insert periods of time desired, such as "one-hour," "two-hour," "fifteen-minute," etc.

⁵ Specify division of parking zones into time zones; for example: "one-hour parking at meter regulated parking spaces shall be lawful on Apple Street and Peach Street, from Fifth Street to Ninth Street. At other meter regulated parking spaces the time limit for parking shall be two hours."

⁶ Insert title of official, such as, "Mayor," "City Manager," "Commissioner of Streets," etc.

meters, and for a period of time conforming to the parking limits of the city, said signal to remain in evidence until expiration of said parking period so designated, at which time a change of signal or some other mechanical operation shall indicate expiration of said parking period.

SECTION 5. PAYMENT FOR METERS. The city may provide for ~~payment~~ for parking meters exclusively from receipts obtained from their operation.

SECTION 6. METHOD OF PARKING AND OPERATION OF METERS. (a) When any vehicle shall be parked next to a parking meter the owner or operator of said vehicle shall park within the area designated by the curb or street marking lines as indicated for parallel or diagonal parking and upon entering said parking space shall immediately deposit in said meter coins of the United States, as indicated by instructions on said meter; and, if required by the instructions on the meter, said owner or operator shall also operate a lever or other actuating device of the meter. It shall be unlawful for any person to fail to park within said designated area, or fail or neglect to so deposit the proper coin or coins, or fail to operate any lever or other actuating device; provided, however, that such owner or operator may use the unexpired time remaining on the meter from its previous use without depositing coin therein.

(b) Said parking space may then be used by such vehicle during the legal parking limit provided by this ordinance, and said vehicle shall be considered as unlawfully parked if it remains in said space beyond the legal parking limit and/or when said parking meter displays a signal showing expiration of time paid for by deposit of coins; and irrespective of the deposit of coins in said parking meter, it shall be unlawful between the hours specified in Section 7, below, for the owner or operator of any such motor vehicle to permit the same to remain in said parking space for a period longer than the maximum indicated by the instructions on said meter. The fact that a vehicle is parked in a metered parking space, during the hours of limited

parking, without the meter time signal showing permitted parking (whether said indication is the result of the failure to deposit a coin and operate a lever or other actuating device of the meter, or the result of the automatic operation of the meter following the expiration of the authorized parking time subsequent to depositing of a coin therein at the time said vehicle was parked), shall be prima facie evidence that the vehicle has been parked at such space longer than the lawfully permitted parking period.

(c) While engaging in loading or unloading merchandise at a place of business where it is not possible to so load or unload at a rear entrance, trucks may, without charge, use the parking spaces for not exceeding fifteen (15) minutes.

(d) A business establishment may apply to the _____⁷ for a six-months' "Loading Zone" permit, submitting at the same time a check or cash in the amount of _____ dollars as payment in advance at the rate of _____ dollars per month for each parking space. Each application shall include a statement explaining the need for such a permit, and it shall be discretionary with the _____⁷ as to whether the need justifies issuance of a permit. A physician may likewise apply for a "Doctor's Zone" permit, allowing him to park his automobile in front of or near his office or residence, and the charge therefor shall be the same as for a "Loading Zone" permit.

(e) Any person may apply to the _____⁷ for a six-months' "Parking Permit," submitting at the same time a check or cash in the amount of _____ dollars as payment in advance at the rate of _____ dollars per month. Each application shall include a statement explaining the need for such a permit, and it shall be discretionary with the _____⁷ as to whether the need justifies issuance of a permit. The holder of such a permit may

⁷ Insert name of city legislative body, such as "City Council," or the title of an official, such as "Mayor," if the legislative body desires to delegate this authority.

park next to any parking meter without depositing coins therein but shall not park longer next to any parking meter than the time limit specified thereon. The city will issue a windshield sticker or other permit sign which shall be displayed as directed on the motor vehicle for which the permit was issued.

(f) Vehicles owned by the United States government, the State of Tennessee, and county and municipal governments when in use on official business, may use the parking spaces without charge.

(g) It shall be unlawful for any person to cause or permit any vehicle registered in his name to be unlawfully parked as set out in this section.

SECTION 7. HOURS OF OPERATION. (a) The provisions of this ordinance with respect to the use of parking meters shall be in effect from _____⁸ o'clock a.m. _____⁹ Standard Time to _____¹⁰ o'clock p.m. _____⁹ Standard Time, except on Sundays and holidays enumerated in subsection (b) hereof. On Sundays and these holidays and at other times when the provisions hereof are not in effect, parking shall be controlled by ordinances in effect prior to the adoption of this ordinance, or adopted subsequent thereto.

⁸ Insert hour in morning desired.

⁹ Insert "Eastern" or "Central."

¹⁰ Insert hour in evening desired. Where a later closing hour on Saturdays or other nights is desirable, the first sentence of subsection (a) should be reworded, for example:

"(a) The provisions of this ordinance with respect to the use of parking meters shall be in effect from _____ o'clock a.m. _____ Standard Time to _____ o'clock p.m. _____ Standard Time, Mondays through Fridays, and from _____ o'clock a.m. _____ Standard Time to _____ o'clock p.m. _____ Standard Time on Saturdays, except on the holidays enumerated in subsection (b) hereof."

(b) The provisions of this ordinance with respect to the use of parking meters shall not be in effect on the following holidays:¹¹

SECTION 8. SLUGS UNLAWFUL. It shall be unlawful to deposit or cause to be deposited in any parking meter, any slug, device or other substitute for a coin of the United States.

SECTION 9. DAMAGING METERS UNLAWFUL. It shall be unlawful for any person to tamper with, open, wilfully break or destroy any parking meter or the post to which it is affixed.

SECTION 10. POLICE OFFICERS TO ENFORCE ORDINANCE. It shall be the duty of police officers of the city, acting in accordance with instructions issued by the _____,¹²

(a) To report:

(1) The number of each parking meter at which a violation of any of the provisions of this ordinance has occurred;

(2) The State license number and city identification tag number, if any, of any vehicle involved in any such violation;

(3) The time when such vehicle was parked in violation of any of the provisions of this ordinance.

(4) Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.

¹¹ List the holidays desired.

¹² Insert "Mayor," "City Manager," or other appropriate official.

(b) To attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of a provision of this ordinance and instructing such owner or operator to report at the Police Headquarters¹³ of the city in regard to such violation. Each such owner or operator, may, within twenty-four (24) hours of the time when such notice was attached to such vehicle, pay to a properly authorized person at Police Headquarters¹³ as a penalty for and in full satisfaction of such violation, the sum of _____.¹⁴ The failure of such owner or operator to make such payment within said twenty-four (24) hours shall render such owner or operator subject to the penalties hereinafter provided for violation of the unlawful parking provisions of this ordinance. [After a person has violated this ordinance three times in a calendar month, he shall pay a minimum penalty of _____ dollars for each additional violation during the remainder of said calendar month.]¹⁵

SECTION 11. USE OF PARKING METER FEES. The fee required to be deposited in said meters is hereby levied as a police regulation and inspection fee to cover the cost of providing parking spaces, parking meters, and the installation, protection and maintenance thereof; the cost of regulation and inspection, operation, control and use of the parking meter spaces and zones created herein; for the regulation

¹³ In cities adopting the system of envelope-type parking tickets, coupled with the privilege of either mailing parking fines to Police Headquarters or placing them in street collection boxes, the wording of this subsection should be amended to authorize such additional methods.

¹⁴ Insert here a figure, such as "twenty-five cents," "fifty cents," "one dollar," etc.

¹⁵ Enforcement of such a provision will require complete records and careful checking as each person makes a penalty payment. A city considering its adoption should weigh this factor, and if adopted should provide the necessary records and a procedure of checking for repeated violations. The minimum number of violations in a month before the higher penalty applies may of course be varied.

and control of traffic moving in and out of, and parking in, said parking spaces and zones so created; for the provision, construction, operation, maintenance, inspection and protection of off-street public parking lots or parking garages, including the use of parking meters therein; and for the cost of any traffic administration and/or police expense resulting therefrom.

SECTION 12. PENALTIES. Any person, firm or corporation, who violates or fails to comply with or who procures, aids or abets in any violation of any provision of this ordinance (with the exception of Section 9) shall be guilty of a misdemeanor and upon conviction shall be fined not more than Fifty Dollars (\$50.00) for each offense.

SECTION 13. PENALTIES FOR VIOLATION OF SECTION 9. Any person, firm or corporation, who shall violate or assist in the violation of Section 9 of this ordinance shall, upon conviction thereof, be fined Fifty Dollars (\$50.00), and also, in the discretion of the City Judge, sitting as a magistrate, may be bound over to the Grand Jury of the County for such violation of State Laws as may be involved.

SECTION 14. AMENDMENT OF EXISTING ORDINANCES. The parking ordinances of the city, as amended, be and the same are further amended hereby so as to conform to the provisions hereof and so that this ordinance shall control parking at the specified places during the hours and days when it is in effect and said ordinances hereby amended shall be in effect at other times as aforesaid.

SECTION 15. SEVERABILITY. If any section, provision or part thereof in this ordinance shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, then such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision or part thereof not so adjudged invalid or unconstitutional.

SECTION 16. EFFECTIVE DATE. This ordinance shall take effect from and after its passage, the welfare of the City requiring it.

(Signed) _____
(Mayor)

ATTEST:

(Signed) _____
(Recorder or City Clerk)

1st Reading _____
(Date)

2nd Reading _____
(Date)

3rd Reading (Passed) _____
(Date)

Published _____
(Date)

EXAMPLE OF A PARKING METER
ORDINANCE FOR OFF-STREET PARKING LOTS

CITY OF NASHVILLE

ORDINANCE NO. 50-434

WHEREAS, the City Council has, by Resolution No. 50-1267, authorized and directed the Mayor, Thomas L. Cummings, to order the installation of parking meters in sufficient number to properly regulate parking on City properties of the City, which resolution was approved by Mayor Cummings on July 27, 1950; and

WHEREAS, said parking meters have been and are being installed, and the public interest requires that adequate provisions be made for the regulation of the same by the City.

NOW, THEREFORE, BE IT ENACTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NASHVILLE, AS FOLLOWS:

SECTION 1. That there is hereby designated as a controlled parking meter zone that certain area in the City being described and bounded as follows:

"The area known as Haymarket Square, lying generally between Third and Fourth Avenues and between McGavock and Demonbreun Streets, and all of that parking area owned by the City of Nashville in the rear of the City Market House."

SECTION 2. The Superintendent of Mechanical Maintenance be and hereby is vested with authority necessary in the regulation, control, operation and use of parking meters in the zones described in Section 1 hereof.¹ The parking rate shall be five (5¢) cents per hour.

¹ The Charter of the City of Nashville provides that the City, by Resolution, may agree and provide that the Nashville Parking Board shall have exclusive control, jurisdiction and management over parking facilities in any or all of the City's streets and also of any property owned by the City and devoted to parking. By this basic authority, the City adopted Resolution No. 52-702 on Nov. 5, 1952, transferring such control of the off-street lots from the Superintendent of Mechanical Maintenance to the Nashville Parking Board. Such transfer, however, does not affect the title to the land, and the City expressly reserves the right to use the land for other purposes without reference to the wishes of the Board. By the same Resolution, the Board was also given authority over the 1000 new curb meters.

SECTION 3. Parking meters installed in the controlled parking meter zones created in Section 1 of this ordinance, shall be placed immediately adjacent to the individual parking meter spaces hereinafter described. Each parking meter installed shall be placed or set in such manner as to show or display by a signal that the parking meter space adjacent to such meter is or is not legally in use. Each parking meter shall be installed and set to display, upon the deposit of the required coin therein, a signal indicating legal parking for that period of time, conforming to the limit of parking time which has been or may be established for the location upon which such parking meter is installed and shall continue to operate from the time of the deposit of such coin therein until the expiration of the time fixed as the parking limit for the part of the location upon which such meter is placed. Each meter shall also be arranged so that upon the expiration of the legal parking time, such meter will indicate by mechanical operation or signal that the lawful parking period has expired.

SECTION 4. The Superintendent of Mechanical Maintenance is hereby directed to have lines or markings painted or placed upon the property adjacent to each parking meter for the purpose of designating the parking meter space for which such meter is to be used and each vehicle parked alongside or next to any parking meter shall park with the lines or markings so established. It shall be unlawful and a violation of this ordinance for the owner or operator of any vehicle to park the same across any such line or marking or for such person to park any vehicle in such a position that the same shall not be wholly within the outlined zones, designated by such lines or markings. When a parking meter space is parallel with any adjacent curb, viaduct or property line, any vehicle parked in such parking meter space shall be parked so that the foremost part of such vehicle shall be alongside of and nearest to the parking meter. When a parking meter space in any parking meter zone is diagonal to the curb, sidewalk and/or property line, any vehicle parked in such parking meter space shall be parked with the foremost part of such vehicle directed at and nearest to the parking meter space in which the vehicle is parked.

SECTION 5. When any vehicle shall be parked at any parking meter space next to which a parking meter is located, in accordance with the provisions of this ordinance, the operator of such vehicle shall, upon entering the parking meter space, immediately deposit, or cause to be deposited, the coin indicated on such parking meter in such parking meter space and the parking space may then be lawfully occupied by such vehicle during the period of parking time prescribed for the parking zone in which such parking space is located. If any vehicle shall remain parked in any such parking space beyond the parking time limit fixed for such parking space, the parking meter shall display a sign or signal showing illegal parking, and, in that event, such vehicle shall be considered as parked overtime and beyond the period of legal parking time, and the parking of a vehicle overtime or beyond the period of legal parking time in any such part of the parking zone created herein where such parking meter is located shall constitute a violation of this ordinance.

SECTION 6. It shall be unlawful and shall constitute a violation of this ordinance for any person to permit a vehicle to remain or to be placed in any parking space adjacent to any parking meter while such meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period of time prescribed for such parking space.

SECTION 7. It shall be unlawful and a violation of the provisions of this ordinance for any person to deposit or cause to be deposited in any parking meter, any slug, device or metallic substitute for the coin indicated on the parking meter as being required.

SECTION 8. It shall be unlawful for any person to deface, injure, interfere with, open or wilfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this ordinance.

SECTION 9. The provisions of this ordinance, with reference to parking meters, shall be enforced between the hours of eight o'clock, A.M., and six o'clock P.M., on every day of the week except Sundays, but shall not be enforced during any of the other

hours of the day or on Sundays or on the following holidays: Christmas, New Year's Day, July Fourth, and State Thanksgiving Day.

SECTION 10. All coins deposited in parking meters shall at regular intervals be collected by the Superintendent of Mechanical Maintenance and paid over by him to the City Treasurer in an account to be designated "Parking Meter Fund." No withdrawals shall be made from said special parking meter fund until there has been paid to the Company installing said meters the cost of freight and installation and the fifty per cent (50%) of the net revenue, as provided in Sections 4 and 15 of the contract heretofore entered into on the 23rd day of August, 1950, by and between the City of Nashville and the [name_] Meter Company. Thereafter all revenues from said parking meters in said fund shall be expended as the Mayor and City Council shall, by resolution, direct.

SECTION 11. It shall be a misdemeanor for any person in the custody and control of any vehicle to violate any of the provisions of this ordinance. Any such person shall, upon conviction, be punished by a fine of not less than \$1.00 nor more than \$5.00.

The Traffic Violations Bureau be and it is hereby authorized and directed to accept voluntary fines within the limits of the penal provisions of this ordinance under such rules and regulations for first and subsequent offenders as the Judge of the Traffic Court shall prescribe for the use of the Violations Bureau in the enforcement of this ordinance.

SECTION 12. This ordinance is hereby declared to be separable with respect to each and every provision. If any section of this ordinance shall, for any reason, be declared to be invalid such declaration of invalidity shall in no wise affect any of the remaining sections or provisions of this ordinance.

SECTION 13. That this ordinance take effect from and after its passage, the welfare of the City requiring it.

Passed: December 6, 1950