

Chapter 10-17

PARKING METERS AND RELATED REGULATIONS

Sections:

10-17-01	LEGAL AUTHORITY
10-17-02	PURPOSE
10-17-03	SCOPE
10-17-04	DEFINITIONS
10-17-05	PARKING METER FEES, SETTING RATES AND PAYMENT FORMS
10-17-06	DAYS AND HOURS OF PARKING METER OPERATION AND ENFORCEMENT
10-17-07	PARKING PERMITS APPLICATIONS AND REQUIREMENTS
10-17-08	ZERO EMISSION VEHICLE PERMIT SPECIFIC REQUIREMENTS
10-17-09	DELIVERY PERMITS, METER USE PERMITS, AND METER HOODS SPECIFIC REGULATIONS AND APPLICATION REQUIREMENTS
10-17-10	UNLAWFUL ACTS
10-17-11	NOTICE OF PARKING VIOLATION, PROCEDURES AND PENALTIES
10-17-12	DENIAL, SUSPENSION OR REVOCATION OF PERMITS
10-17-13	NOTICE OF DENIAL, REVOCATION OR SUSPENSION
10-17-14	STAY OF SUSPENSION OR REVOCATION
10-17-15	EMERGENCY SUSPENSION OR REVOCATION
10-17-16	WAITING PERIOD BEFORE BECOMING ELIGIBLE TO REAPPLY AFTER REVOCATION
10-17-17	REQUEST FOR INFORMAL REVIEW BY PARKING SERVICES
10-17-18	INFORMAL REVIEW
10-17-19	REQUEST FOR ADMINISTRATIVE REVIEW BY THE DIRECTOR
10-17-20	ADMINISTRATIVE REVIEW HEARING BY THE DIRECTOR
10-17-21	REVIEW OF DIRECTOR'S DECISION
10-17-22	AUTHORITY OF HEARING OFFICER
10-17-23	WRITTEN REPORT
10-17-24	RESPONSIBILITIES OF PERMITTEES
10-17-25	SEVERABILITY

Section 10-17-01 LEGAL AUTHORITY

Idaho Code Sections 50-302, 50-314 and 49-208 authorize the City to regulate, limit and control traffic and parking within its boundaries. Additionally, Idaho Code Section 40-1415(8) specifically grants the City the authority to place, care for, and remove parking meters within its boundaries, to regulate the use of such parking meters, to enforce such regulations, and to keep all revenues received therefrom.

Section 10-17-02 PURPOSE

The purpose of the regulations and standards established within this Chapter is to ensure adequate on-street parking is provided and maintained throughout the City. Parking meters, demand-based parking fees and the use of special parking permits are intended to: relieve

congestion; provide adequate turnover of on-street parking spaces and reduce meter re-plugging; provide for the safe and orderly movement of traffic throughout the City; promote business and industry through adequate customer parking; allow for the use of special parking permits for business purposes; and protect the City and surrounding areas from air pollution by encouraging the use of zero emission vehicles.

Section 10-17-03 SCOPE

This Chapter sets forth policies, standards, requirements, and procedures applicable to parking meters as well as the issuance, regulation, enforcement, renewal, suspension and revocation of parking permits which exempt holders from parking meter fees.

Section 10-17-04 DEFINITIONS

For the purposes of this Chapter, the following terms, phrases, words, and derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. Words used throughout this Chapter, but not defined herein, shall have their plain, ordinary, and common meaning. Words in any gender shall apply to the feminine, masculine and neuter genders.

- A. **Accessible Parking Space:** A parking space which is specifically marked and signed as reserved for a person with a disability who has and displays an accessible parking placard or plates issued by the Idaho Department of Transportation pursuant to Idaho Code Section 49-410.
- B. **Alley:** A public way of limited use intended only to provide access to the rear or side of lots or buildings.
- C. **City:** The City of Boise City, Idaho.
- D. **City Clerk's Office:** The Office of the City Clerk of the City or its designee.
- E. **Delivery Vehicle:** A vehicle which is used by a bona fide business for the distribution of goods or merchandise and which displays advertising or lettering at least two inches (2") in height identifying such business on the exterior of the vehicle.
- F. **Demand-Based Parking Fees:** Variable parking meter fees which are set considering the location, time of day, maximum parking time allowed, and the capacities of available parking meters, in order to maximize target utilization.
- G. **Director:** The Director of the Department of Finance and Administration or his designee, who must be an employee of the City.
- H. **Highway:** The entire width between the boundary lines of every public way for vehicular travel use, with jurisdiction extending to the adjacent property line, including sidewalks, shoulders, berms and rights-of-way not intended for motorized traffic. The term "street"

is interchangeable with highway.

- I. **Meter Hood:** A device issued pursuant to this Chapter for use in conjunction with a meter use permit to cover a parking meter while the parking meter space is being utilized.
- J. **Operator:** A person who drives, operates or is in actual physical control of a vehicle.
- K. **Park or Parking:** The stopping or standing of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in loading or unloading property or passengers.
- L. **Parking Meter:** Any mechanical, electro-mechanical, electronic, digital or telephonic device or system which is either indicated by signage or physically installed on or in the curb, sidewalk, or public right-of-way that regulates parking in a designated parking meter space.
- M. **Parking Meter Space:** The area on or adjacent to the roadway that is controlled by a parking meter device or system or designated by lines or other markings, and is of a sufficient size to permit the parking of one (1) standard-sized vehicle.
- N. **Parking Services Office:** The Boise City Parking Services Office, or its designee.
- O. **Parking Session:** The period of time purchased for parking in a parking meter space.
- P. **Parking Space:** The area on or adjacent to the roadway that is designated by lines or other markings and is of a sufficient size to permit the parking of one (1) standard-sized vehicle.
- Q. **Person:** Any individual, partnership, association, corporation, or organization of any kind, or any governmental entity, including the state of Idaho and every political subdivision thereof.
- R. **Purchased Time:** The amount of parking session time paid for using a parking meter, during which a vehicle may be lawfully parked in the parking meter space. Purchased time includes the initial twenty (20) minutes of parking time available at no charge.
- S. **Re-feed or Re-plug a Parking Meter:** Depositing additional payment in a parking meter for the purpose of parking longer than the maximum allowable time of continuous parking by a single vehicle.
- T. **Roadway:** That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of sidewalks, shoulders, berms and rights-of-way.
- U. **Stopping or Standing:** The complete cessation of movement of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of law enforcement, authorized personnel representing an

entity with jurisdiction, or an official traffic control device.

- V. **Street:** See “Highway” definition herein. The terms are interchangeable.
- W. **Target Utilization:** The percentage of parking meter space usage and turnover during hours of operation for the most effective on-street parking management.
- X. **Vehicle:** Every vessel in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.
- Y. **Zero Emission Vehicle:** A vehicle that does not directly produce any atmospheric emission or pollution.

Section 10-17-05 PARKING METER FEES, SETTING RATES AND PAYMENT FORMS

- A. The initial twenty (20) minutes of a parking session for any single vehicle shall be free of charge by using the “20 minutes free” button or function on the parking meter.
- B. Hourly Rates
 - 1. The Boise City Council shall establish the maximum and minimum hourly fees for parking meters in the City and such fees shall be listed on the most current City Clerk Fee Schedule.
 - 2. To achieve maximum target utilization, all parking meter fees may be adjusted by the Parking Services Office within the set maximum and minimum hourly fees as established by the Boise City Council.
 - 3. All parking meters shall accept only proper forms of payment which shall include, but not be limited to, legal United States coins, credit cards or debit cards.

Section 10-17-06 DAYS AND HOURS OF PARKING METER OPERATION AND ENFORCEMENT

- A. Unless a parking meter is posted with or displays extended hours of operation and enforcement, the days and hours of parking meter operation and enforcement are: Monday through Friday, between the hours of eight o'clock (8:00) a.m. and six o'clock (6:00) p.m.
- B. Use of parking meter spaces on the following holidays shall be free of charge:
 - New Year’s Day (January 1)
 - Martin Luther King, Jr. Day (third Monday of January)
 - Washington’s Birthday / Presidents’ Day (third Monday of February)
 - Memorial Day (last Monday in May)
 - Independence Day (July 4)
 - Labor Day (first Monday in September)
 - Veterans Day (November 11)

Thanksgiving Day (fourth Thursday in November)
Christmas Day (December 25)

Section 10-17-07 PARKING PERMIT APPLICATIONS AND REQUIREMENTS

- A. All parking permits and meter hoods regulated by this Chapter and Boise City Code Title 10, Chapter 11 shall be issued, maintained and renewed by the Parking Services Office.
- B. All parking permit and meter hood applications may be obtained from the Parking Services Office and shall include, at minimum the following information:
 - 1. The name, address and other current contact information for the applicant;
 - 2. The make, model and year of the vehicle for which the permit is sought; and
 - 3. A statement signed and sworn by the applicant, under penalty of perjury, that all information submitted is complete, true and accurate to the best of his knowledge.
- C. Additional application information may be required for particular parking permits as set forth in this Chapter or Boise City Code Title 10, Chapter 11.
- D. A nonrefundable application fee in an amount established by the Boise City Council and listed on the most current City Clerk Fee Schedule shall accompany every application for a parking permit or meter hood.
- E. All parking permits issued under this Chapter or Boise City Code Title 10, Chapter 11, shall be clearly displayed in full and unobstructed view as directed by the Parking Services Office.

**Section 10-17-08 ZERO EMISSION VEHICLE PERMIT SPECIFIC
REQUIREMENTS**

- A. In addition to the general parking permit application and requirements set forth in Boise City Code Section 10-17-07, all applicants for a zero emission vehicle permit shall submit the vehicle to inspection by the Parking Services Office, prior to the issuance of such permit.
- B. Zero emission vehicle permits are vehicle-specific and non-transferrable.
- C. The holder of a zero emission vehicle permit is entitled to park without paying for purchased time at a parking meter space.

**Section 10-17-09 DELIVERY PERMITS, METER USE PERMITS, AND METER
HOODS SPECIFIC REGULATIONS AND APPLICATION REQUIREMENTS**

- A. In addition to the general parking permit application and requirements set forth in Boise City Code Section 10-17-07, all applicants for a delivery permit, meter use permit and meter hood shall provide a detailed description of the purpose or use for which the delivery or meter use permit is sought; and submit the vehicle, for which the permit is

being sought, to inspection by the Parking Services Office to ensure that the vehicle's appearance and proposed use, purpose, or operation complies with the standards established by the Parking Services Office.

B. The holder of a delivery permit, meter use permit or meter hood is entitled to park without paying for purchased time at a parking meter space, but only while the vehicle is actually being used for the purpose for which such permit or meter hood is issued.

C. Delivery Permits Specific Regulations.

1. All applicants for a delivery permit shall submit a separate application to the Parking Services Office for each delivery vehicle.
2. A delivery permit authorizes the permitted vehicle to park in a parking meter space for up to one (1) hour while the vehicle's operator is present and actively engaged in loading or unloading goods or merchandise.
3. A delivery permit shall not be used to park in a parking meter space within two (2) city blocks of the residence or place of business of the person who applied for and was issued the permit.
4. A delivery permit shall not be used at parking meter spaces where the maximum allowable time of continuous parking by a single vehicle is less than one hour.

D. Meter Use Permits Specific Regulations.

1. A meter use permit may be issued for any one (1) of the following time frames:
 - a. One year;
 - b. One calendar month;
 - c. One week;
 - d. One day.
2. A single application for a meter use permit can identify up to five (5) vehicles that may park pursuant to the meter use permit, once it is issued.
3. Only vehicles identified within the application for a meter use permit are authorized to park using such permit.
4. Meter use permits shall not be used at parking meter spaces where the maximum allowable time of continuous parking by a single vehicle is less than one hour.

F. Meter Hood Specific Requirements.

1. Upon application for a daily, weekly, or monthly meter use permit, the applicant may also request a meter hood for a parking meter.
2. When in use, a meter hood shall be locked onto the parking meter, thereby entitling the applicant to park one of the vehicles identified on the meter use permit application in the parking meter space assigned to the parking meter on which the meter hood is locked.
3. A vehicle parked in a hooded parking meter space must also display a valid meter use permit that is clearly visible from outside the vehicle.

Section 10-17-10 UNLAWFUL ACTS

A. It shall be unlawful for any person to:

1. Park in a parking meter space without using the associated parking meter to pay for purchased time or pursuant to the lawful use of a permit.
2. Park in a parking meter space for longer than the purchased time, or fail to vacate a parking meter space at or before expiration of the purchased time.
3. Continue to park in a parking meter space longer than the maximum allowable time of continuous parking by a single vehicle after having already been cited for an “expired parking meter” violation.
4. Re-feed (or “re-plug”) a parking meter.
5. Park a vehicle in a parking meter space with any portion of the vehicle extending across the painted lines or markings designating the boundary of a single parking meter space.
6. Park more than one (1) vehicle in a single parking meter space.
7. Park in a parking meter space that is officially marked as restricted or reserved under the Parking Services Office’s authority or that is blocked by an official traffic control device or sign, or that is covered by a meter hood unless specifically permitted to do so.
8. Park a vehicle displaying a zero emission vehicle permit in any metered space for a period longer than the maximum allowable time of continuous parking posted on the parking meter.
9. Use, or allow to be used, a zero emission vehicle permit to park a vehicle other than the vehicle for which the permit was issued in a parking meter space without paying for purchased time.
10. Use, or allow to be used, any delivery permit, meter use permit or meter hood to park a vehicle which is not identified on the application for the issued permit without paying for purchased time.
11. Fail to comply with the terms, conditions, or restrictions placed on the issuance and use of a delivery permit, meter use permit, or meter hood issued pursuant to this Chapter.

Section 10-17-11 NOTICE OF PARKING VIOLATION, PROCEDURES AND PENALTIES

- A. The notice of and procedure for handling parking violations under this Chapter is set forth in Boise City Code Sections 10-11-24 *et seq.*
- B. The fines for parking violations set forth in this Chapter are established by the Boise City Council and listed on the most current City Clerk Parking Fees Schedule.
- C. If any vehicle is observed stopped, standing, or parked in violation of any provision of this Chapter and the identity of the operator cannot be determined, the vehicle’s owner, or the person in whose name the vehicle is registered, or the person who is the named lessee in a lease or rental agreement, is responsible for all violations involving such vehicle.

Section 10-17-12 DENIAL, SUSPENSION OR REVOCATION OF PERMITS

- A. A permittee or an operator using a parking permit or meter hood issued pursuant to this

Chapter or Boise City Code Title 10, Chapter 11, may be subject to denial, suspension or revocation of the permit or meter hood for any of the following reasons:

1. A permittee or operator, while operating a vehicle with a parking permit or meter hood, violates one (1) or more parking provisions;
 2. The permittee obtained his permit by fraud or misrepresentation;
 3. The eligibility criteria for the permit are no longer met;
 4. The permit is being or has been exercised contrary to its terms or conditions by the permittee or an operator;
 5. The permittee or applicant fails to pay any applicable fee imposed pursuant to this Chapter or the pertinent permit chapter; or
 6. The permittee is operating under such permit in such a manner as to be detrimental to the public health, safety and welfare.
- B. Accessible parking space, and residential and special parking district designation applications, as set forth in Boise City Code Sections 10-11-15 and 10-11-19 shall also be governed by the review process set forth below.

Section 10-17-13 NOTICE OF DENIAL, REVOCATION OR SUSPENSION

- A. If an applicant for a parking permit governed by this Chapter or Boise City Code Title 10, Chapter 11 is denied or such permit is suspended or revoked, a letter will be sent by registered or certified mail to the applicant or permittee's address on file with the Parking Services Office.
- B. Every notice of denial, suspension or revocation shall include a statement or description explaining that:
1. The proposed decision or action, and if for suspension or revocation, the effective date of the proposed decision or action, which date shall not be less than ten (10) business days after the date of the notice; and for suspension, the time period for the suspension, which shall be no longer than six (6) months;
 2. The reasons why the application is denied or the permit is suspended or revoked;
 3. The applicant or permittee has the opportunity to request an informal review, an administrative review hearing by the Director, and a review hearing by a hearing officer to contest the proposed decision or action; and
 4. If the applicant or permittee fails to request an informal review within ten (10) business days of the date of the notice, the permittee or applicant waives his opportunity to contest the proposed decision or action, and the action shall become final on the notice's effective date.

Section 10-17-14 STAY OF SUSPENSION OR REVOCATION

- A. Absent an emergency as set forth in Boise City Code Section 10-17-15, the effective date of a proposed suspension or revocation shall be not less than ten (10) business days after the date of the notice, unless otherwise mutually agreed to between the Parking Services Office and the permittee.

- B. The decision of the Parking Services Office to deny or not renew a permit shall result in no stay and the decision shall become effective immediately.

Section 10-17-15 EMERGENCY SUSPENSION OR REVOCATION

- A. Notwithstanding any other provision of this Chapter, when, in the opinion of the Parking Services Office, there is a clear and immediate threat to the health, safety, or welfare of the public, there shall be no stay of the suspension or revocation. The Parking Services Office shall prepare a written notice of suspension or revocation that includes a statement of the decision or action, an explanation of the reasons for the decision or action, the code section(s) relied upon for the decision or action and an explanation of the permittee's rights to request an administrative review hearing from the Director and a review hearing by a hearing officer.
- B. The permittee shall have the right to request an administrative review hearing within ten (10) days of the emergency suspension or revocation.

Section 10-17-16 WAITING PERIOD BEFORE BECOMING ELIGIBLE TO REAPPLY AFTER REVOCATION

A permittee whose permit was revoked may not reapply for a new permit until one (1) year has elapsed from the date of notice of the revocation, the informal review, the written decision in an administrative review or the written decision following a hearing before a hearing officer, whichever is latest; such waiting period shall also apply to any applicant who is a partnership, association or corporation that includes a previously revoked permittee who is holding a ten percent (10%) or more interest in the partnership, association or corporation. A permittee's failure to accept, acknowledge, or receive notice shall not invalidate the waiting period.

Section 10-17-17 REQUEST FOR INFORMAL REVIEW BY PARKING SERVICES OFFICE

- A. Upon receipt of a notice of denial, suspension, revocation or violation, an applicant or permittee may request an informal review by the Parking Services Office within ten (10) business days after the date the decision is mailed or otherwise delivered to the applicant or permittee.
- B. A request for an informal review shall contain the following information:
 - 1. The name of applicant or permittee;
 - 2. If an existing permit, the City of Boise applicant or permit number; and
 - 3. The reasons for which the review is requested set forth with specificity.

Section 10-17-18 INFORMAL REVIEW

- A. If the Parking Services Office receives a request for an informal review, the Parking Services Office shall:

1. Review the decision or action and any information submitted by a permittee or an applicant; and
 2. Communicate with the permittee or applicant if additional documentation or clarification is required.
- B. The Parking Services Office shall not consider any request for informal review that is not received within ten (10) business days of the date of the notice of denial, suspension or revocation.
- C. If the permittee fails to respond to communication requests, the decision or action shall become effective at twelve o'clock (12:00) a.m. on the effective date of the notice.
- D. The applicant or permittee has the burden of proof and must establish that the decision or action of the Parking Services Office was arbitrary or capricious.
- E. The review shall be conducted informally. The Parking Services Office shall review the decision or action and the reasons therefore with the applicant or permittee. The applicant or permittee, in person or through his attorney, may present any evidence showing reason why the decision or action was arbitrary or capricious.
- F. The Parking Services Office's decision with respect to a request for informal review will be issued within seven (7) business days of the receipt of the informal review request or upon receipt of additional documentation or clarification as requested.
- G. The informal review shall not be conducted by the individual in the Parking Services Office who issued the notice of denial, suspension, or revocation.

Section 10-17-19 REQUEST FOR ADMINISTRATIVE REVIEW BY THE DIRECTOR

- A. If the applicant or permittee fails to obtain the relief requested in the informal review, the applicant or permittee may request an administrative review hearing by the Director.
- B. A request for an administrative review must occur within seven (7) business days of the mailing or hand-delivery of the final decision of the informal review to the applicant or permittee.
- C. A request for an administrative review shall contain the following information:
1. The name of applicant or permittee;
 2. If an existing permittee, the City of Boise applicant or permit number;
 3. The reasons for which the review is requested set forth with specificity;
 4. The applicant's or permittee's intent to be represented by legal counsel;
 5. The remedy requested; and
 6. The applicant's or permittee's availability for a hearing within the next seven (7) to fifteen (15) business days.

Section 10-17-20 ADMINISTRATIVE REVIEW HEARING BY THE DIRECTOR

- A. If the Director receives a request for an administrative review hearing, the Director shall:
 - 1. Schedule a date for the hearing not more than fifteen (15) business days and not less than seven (7) business days after the Director receives the request;
 - 2. Notify the permittee or applicant of the date, time and location of the hearing; and
 - 3. State in the notice that the applicant or permittee must appear at and participate in the hearing in order to contest the denial, non-renewal, or the proposed suspension or revocation.
- B. The Director shall not consider any request for review that is not received within seven (7) business days of the date of the mailing or hand-delivery of final resolution of the informal review.
- C. If the permittee fails to appear at the hearing, the decision or action shall become effective at twelve o'clock (12:00) a.m. the day following the hearing.
- D. The applicant or permittee has the burden of proof and must establish that the decision or action of the Parking Services Office was arbitrary or capricious.
- E. The hearings shall be conducted informally. The Director or his designee shall review the decision or action and the reasons therefore with the applicant or permittee. The applicant or permittee, in person or through his attorney, may present any evidence showing reason why the decision or action was arbitrary or capricious. The Director shall cause an audio or video recording to be made of the hearing.
- F. If an applicant or permittee fails to appear at the administrative review hearing, the Director shall enter a proposed decision of default upholding the denial, suspension or revocation. The proposed decision of default may be rescinded if, within seven (7) business days of the date of mailing, the applicant or permittee submits a written explanation for not appearing, which the Director finds substantial and reasonable.
- G. The Director's written decision will be issued within seven (7) business days of the hearing. The Director's decision will include the reasons for his decision.
- H. The Director's decision shall become effective ten (10) business days after the date the decision is mailed or hand-delivered to the applicant or permittee.

Section 10-17-21 REVIEW OF DIRECTOR'S DECISION

- A. A permittee or applicant may request a review of the Director's decision by a hearing officer within ten (10) business days of the effective date of the Director's decision.
- B. A request for review of the Director's decision must be filed in writing and must include that information set forth in Boise City Code Section 10-17-17(B). In addition, the request for review must be accompanied by a copy of the decision or action that is the

subject of the review, and identify all legal and factual basis of disagreement with the Director's decision. Requests for review must also include the applicant's or permittee's intent to be represented by legal counsel and include payment of two hundred fifty dollars (\$250).

- C. The applicant or permittee has the burden of proof and must establish that the decision or action of the Parking Services Office was arbitrary or capricious.
- D. If an applicant or permittee fails to appear at the review hearing, the hearing officer shall enter a proposed decision of default. The proposed decision of default may be rescinded if, within seven (7) business days of the date of mailing, the applicant or permittee submits a written explanation for not appearing, which the hearing officer finds substantial and reasonable.

Section 10-17-22 AUTHORITY OF HEARING OFFICER

- A. The hearing officer will consider only information that was available to the Director at the time the decision was made. If a party shows with good cause that there is additional relevant information that was not presented to the Director, the hearing officer will remand the request for administrative review to the Director for reconsideration. No hearing officer has the jurisdiction to invalidate any federal or state statute, ordinance, rule or regulation, or court order. The hearing officer must defer to the Director's interpretation of statutes, ordinances, rules, regulations or policy unless the hearing officer finds the Director's interpretation to be contrary to the plain meaning of the statute or ordinance or an abuse of discretion.
- B. The hearing officer shall have and exercise the power to regulate the proceedings and to do all acts and to take all measures necessary or proper for the efficient performance of the hearing officer's duties under this Chapter. The hearing officer shall have all powers of the City for the hearing of these matters, may issue subpoenas in the name of the City, may rule upon the admissibility of evidence, may put witnesses under oath and may examine them and may call the parties to the action and examine them upon oath.

Section 10-17-23 WRITTEN REPORT

- A. The hearing officer shall make findings of fact and conclusions of law as appropriate and issue a written report. The order must either affirm the Director's action or reverse and remand the Director's action for further proceedings. The hearing officer does not have authority to modify the Director's action. The hearing officer shall file the report with the Director, along with the recording of the proceedings, transcripts, if any, minutes, evidence and original exhibits offered or received at the hearing. The hearing officer shall transmit a copy of the report to all persons entitled to notice. Hearing officer shall cause an audio or video recording to be made of the hearing.
- B. The hearing officer's report will be issued within fifteen (15) business days of the hearing, and shall become effective three (3) business days after the date the decision is

mailed or hand-delivered to the applicant or permittee. Failure of the hearing officer to issue a report within fifteen (15) business days shall not invalidate any suspension or revocation.

Section 10-17-24 RESPONSIBILITIES OF PERMITTEES

- A. Every permittee is responsible for ensuring that his respective employees, agents, and affiliates are familiar with the applicable policies, standards, laws and ordinances applicable to the permit issued to him by the City.
- B. All permits and meter hoods issued pursuant to this Chapter or Boise City Code Title 10, Chapter 11, shall remain the property of the City, and shall be surrendered to the Parking Services Office within seventy-two (72) hours of the expiration thereof. Permits and meter hoods which are suspended or revoked shall be surrendered to the Parking Services Office within seventy-two (72) hours of the final disposition of such suspension or revocation. When permits are suspended or revoked immediately without stay under Boise City Code Section 10-17-15, the permit or meter hood shall be surrendered immediately upon demand of the Parking Services Office.

Section 10-17-25 SEVERABILITY

If any clause, sentence, paragraph, section, or any part of this Chapter is declared or adjudged to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect, invalidate, or nullify the remainder of this Chapter.

(Ord-56-15 Repeal & Replace 12/1/2015; 6731, Amended, 08/25/2009; 6698, 6690, Amended, 10/28/2008; Amended, 01/27/2009, 10/28/2008; 6606, Amended, 09/25/2007; 6005, Amended, 07/18/2000; 6418, Amended, 09/20/2005; 6271, Amended, 10/21/2003; 6005, Amended, 5781, 5746, Amended, 08/20/1996; Amended, 02/18/1997; 07/18/2000; 5676, Amended, 11/14/1995; 5633, Amended, 06/06/1995; 5621, Amended, 5594, Amended, 12/06/1994; 03/07/1995; 5577, Amended, 10/04/1994; 5526, Amended, 03/01/1994; 5409, Amended, 07/28/1992; 5264, Amended, 09/25/1990; 5202, Amended, 12/19/1989; 4875, 5173, Amended, 06/27/1989; Amended, 11/25/1985; 4769, Amended, 01/04/1984; 4669, Added, 06/07/1982; 4628, Amended, 10/13/1981; 4492, Amended, 12/27/1979; 4369, Added, 02/05/1979, 3995, Added, 05/02/1977; 3901, Added, 11/08/1976; 3534, Added, 02/25/1974, Effective)