Buncombe County
Parking Lease Application

ORDINANCE REGULATING BUNCOMBE COUNTY PARKING DECKS / TERMS OF USE

1. Use of County parking garages. County parking garages are for the exclusive use of those persons who park their vehicles there, along with passengers of such vehicles. It shall be unlawful for any person to be present in a County parking garage unless the person is:

(a) In a vehicle which is in a parking space or on its way to or from a parking space;

(b) Walking to or from a parked vehicle, having entered or returning to the garage as a driver or a passenger of the vehicle; or

(c) An employee or agent of the County whose presence in the garage is required in connection with his duties.

2. Trespass. Unauthorized presence in the County parking decks and subsequent refusal to leave after being ordered to do so by a law enforcement officer or parking attendant shall constitute trespass.

3. Hours of operation and Parking rates.

(a) County parking decks or lots shall be operated for the purposes and under the regulations set forth in this division from 8:00 a.m. to 9:00 p.m., except on Saturdays, Sundays and officially designated Buncombe County holidays.

(b) County parking rates shall be set by Buncombe County and posted in conspicuous locations within the decks and such rates may be changed from time to time as deemed necessary and reasonable by the County in its sole discretion.

(c) County parking decks or lots may be equipped with 24 hour automated gates for operations and collections of parking fees. Such automated gates may be activated for all parking deck uses during non-standard hours.

(d) Buncombe County reserves the right alter standard operating hours and parking rates for special events.

4. Parking spaces to be designated by markings.

(a) The Physical Facilities Department shall place lines or marks on the parking surface to designate the parking space to be used.

(b) It shall be prohibited for any person to park any vehicle across any such line or mark or to park such vehicle in such a way that the vehicle is not within the area so designated by such lines or markings, unless directed to do so by law enforcement personnel or a County parking services employee.

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5. Method of parking.

(a) All vehicles parked in any parking decks or lots established by the County shall be parked within the traffic lines as marked on the surface of the lots, and a failure to do so shall be prohibited as set forth herein, and subject to the penalty prescribed below.

(b) It is prohibited for any person to park or leave standing any vehicle so as to obstruct a curb ramp or curb cut for handicapped persons.

(c) It is prohibited for any person to park or leave standing any vehicle so as to obstruct any driveway or lane of traffic leading into, out of or within any parking decks or lots established by the County.

6. Handicapped Parking.

(a) It shall be prohibited for any person to park or leave any vehicle in a space designated for handicapped persons or visually impaired persons when the vehicle does not display the distinguishing license plate, placard or identification card or veteran registration plate as provided by state law.

(b) It shall be prohibited for any person not qualifying for the rights and privileges extended to handicapped persons or visually impaired persons to exercise or attempt to exercise such rights or privileges by the unauthorized use of a distinguishing license plate, placard or identification card.

(c) Violation of this section shall be punishable by a civil penalty in the amount of $250.00 for each offense.

7. Overtime or illegal parking; towing; violations.

(a) It shall be unlawful for any person to cause, allow, permit or suffer any vehicle which he is operating or over which he has any control to be parked overtime, or in any space designated for parking in a County parking deck on a monthly basis to an individual or group of individuals upon any county parking deck or to be parked in a County parking deck beyond the period of authorized parking time, applicable to the parking space in which such vehicle is parked. Each hour that any such violation continues shall constitute a separate offense.

(b) In addition to the other provisions of this ordinance, in all cases in which a vehicle is parked on any County parking deck in violation of this ordinance, such vehicle may be towed away from such County parking deck or lot and stored in such place as may be designated by local authorities. If it becomes necessary to have such vehicle towed away and stored, the charges for towing and storage shall be paid by the owner or other person responsible for such vehicle.

8. Impoundment of improperly parked vehicles. Any vehicle parked in violation of this ordinance may be removed from the County parking deck or lot by the County pursuant to NCGS §153A-170. If any vehicle is so removed, the owner, as condition of regaining possession of the vehicle, shall be required to pay to the County all reasonable costs incidental to the removal and storage of the vehicle and any fine or penalty due for the violation.

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9. Civil penalties for violations of parking ordinances.

(a) Pursuant to an Interlocal Agreement by and between the County of Buncombe and the City of Asheville dated June 8, 2004, the County has made written request of the City and the City has agreed to add the College Street parking deck facility to the list of County-owned parking facilities that the City will patrol for compliance with parking regulations. By virtue of the terms and conditions of said Interlocal Agreement, as Amended, the City is authorized to issue civil penalties for uses and parking within the deck and other designated County lots in violation of this Resolution and the City will be responsible for collection of all such civil penalties based on citations issued to persons unlawfully parking in the deck facility in accordance with said Interlocal Agreement. Buncombe County Physical Facilities Department will maintain and post a listing of civil penalty amounts to be charged for violations of these provisions.

(b) As long as said Amended Interlocal Agreement is in force and effect:

(i) all fines for parking in violation of this Resolution, other than Handicapped Parking as set forth above, shall be in levied as civil penalties in an amount as listed in Appendix B - Schedule of Civil Penalties of the City of Asheville Code of Ordinances; and

(ii) any and all appeals contesting any civil penalty issued as set forth herein shall be conducted in the manner set forth in Sec. 19-15, Appeals, of the City of Asheville Code of Ordinances, and appropriate City personal shall have jurisdiction to hear such appeals.

BUNCOMBE COUNTY PAYMENT POLICY

Keep in mind that your payment may not post to your account the day you make it. Sometimes it takes up to two full business day to post to the bank:

Completion of a payment transaction is contingent upon both the authorization of payment by your BANK and acceptance of your payment by Buncombe County Government. In the event that your payment is unable to be processed, Buncombe County Government will attempt to notify you at least once using the contact information you have provided. In the event your payment is not processed or authorized by your BANK your payment liability shall remain outstanding and unpaid and you will be subject to all applicable penalties, late fees and interest charges assessed by the relevant entity thereon, all of which obligations remain your sole responsibility.

In the event a customer intentionally or through negligence, thoughtlessness or poor planning causes two violations of this policy to occur, Buncombe County, at its sole discretion, may refuse to accept payments from the customer violating this policy. Buncombe County may also insist on collecting the delinquent amount owed, including any additional fees and cost from the customer in violation of this policy by receiving payment from the customer in cash, money order or bank certified or cashier check.

NOTICE

A $10.00 Card Replacement Fee will be assessed for lost Pass Cards.

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All applications should be hand delivered to:
College Street Parking Deck
Main Office
164 College Street
Asheville, NC 28801
For directions, please call
828-250-4248

CUSTOMER INFORMATION: (* Required Information)

* First Name: _____

Middle Name: _____

* Last Name: _____

* Address: _____

Address 2: _____

* City: _____

* State: NC

* Zip Code: _____

* Phone: _____

Email: _____

ACCESS TYPE:

◯ $125.00 - Monthly Parking College St: 24/7 Access

◯ $50.00 - Monthly Parking College St: M-F, 6am - 6pm

LEASE LENGTH:

Start Date: _____

End Date: _____ **OR** ☐ Until I Cancel

Please attach the following to this application:

1. One check made payable to "Buncombe County Parking" for the amount of the 1st month ($50 or $125 depending on access type), PLUS a $15.00 setup fee.

2. One voided check matching the account the monthly draft will be withdrawn from.

Please Initial:

_____ I hereby authorize Buncombe County Government (hereafter, BCG) to debit my checking account at the BANK indicated on the attached VOIDED Check. Should my draft not be honored by my BANK for any reason, I realize that I am responsible for the payment, including a $25.00 service fee, and my access card will be cancelled immediately. This authority will remain in effect until BCG has received written notification of intent to cancel the parking contract; I understand that cancellations are effective at the end of each month, and my written notice may be given until the 20th of my last month of parking.
If I fail to give such notice I shall continue to to be obligated for payment of the current parking fee until proper cancellation procedures have been followed, and I also understand that no refunds will be given for unused parking. Drafts occur on the 1st of each month.

_____ I hereby agree to the Buncombe County Parking Deck Terms of Use, and the Buncombe County Payment Policy.

SIGNATURE: _____ DATE: _____

OFFICE USE ONLY	Pass Card #:		
☐ Draft ☐ Cash ☐ Check ☐ CC	Start:	☐ End:	Total:
INT. ID:	LAW ID:	Date:	