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Use of Parking Space Permit Policy

This policy provides the guidelines and requirements for the permitted use by private property owners, developers, contractors, organizations and individuals of any of the public parking spaces managed by the Plymouth Growth and Development (PGDC) and Park Plymouth in Downtown Plymouth, in the Waterfront District, and in North Plymouth.

General Guidelines

Applicability. Any private property owner, developer, contractor, organization or individual who seeks to utilize a public parking space(s) in conjunction with the construction, reconstruction, or alteration of a building, an event, or in conjunction with any other activity that would deny public access to a public parking space(s) shall, prior to such utilization:

1. Apply for a Use of Parking Space Permit with Park Plymouth/PGDC in accordance with the advance notice requirements below;
2. Comply with all requirements of said Use of Parking Space Permit Application and receive the approval of Park Plymouth/PGDC and/or the Town of Plymouth; and,
3. Pay the required Use of Parking Space Permit fee(s).

This policy shall apply to any public parking space regardless of its location or type (curbside or in surface lot, time-limited, metered, or non-metered) during daytime or night-time hours.

A Use of Parking Space Permit is intended to ensure that the project plans submitted by a property owner, contractor, event organizer or individual provide for adequate pedestrian and vehicular safety in and around the work zone, are in compliance with all local regulations and Department requirements, and ensure that Park Plymouth does not incur any loss in daily or parking citation revenue during the construction period.

Application Deadlines. The deadline for submitting a Use of Parking Space Permit Application depends upon the duration of time the public parking space(s) will be taken out-of-service.

- When a public parking space(s) is to be used for up to 21 calendar days

The Park Plymouth Director of Operations acting on behalf of the PGDC is authorized to approve permit applications that involve the use of one or more public parking spaces for a period of **up to 21 calendar days** (3 weeks). Said permit applications shall be submitted by the property owner,

contractor, organization or individual **at least 48-hours (2 calendar days) in advance** of the project initiation or event date. This advance notice is necessary to provide adequate time for the Director of Operations to review and approve the application; post signs in advance so that the parking spaces being utilized are free of parked vehicles and ensure that all necessary approvals from appropriate town departments have been received. The Director of Operations may at his discretion, and based on concerns regarding the potential impact of the number of spaces and length of time they would be unavailable to the public, decide to bring any application for a Use of Parking Space Permit before the PGDC Board of Directors for review and approval.

- When a Public Parking Space is to be used for more than 21 calendar days

Any permit application that involves the use of one or more public parking spaces or for the use of parking spaces for **more than 21 calendar days** (3 weeks) shall be submitted to the PGDC Board of Directors for review and approval. Said permit applications must be submitted **at least 14 calendar days (two weeks) in advance of the project or event initiation date**. This advance notice is necessary to provide adequate time for Park Plymouth to include the permit request on the next scheduled meeting of the PGDC Board and for the PGDC Board and Park Plymouth to review and approve the application.

Use of Parking Space Application Requirements

Every property owner, contractor, organization or individual seeking permission to use a public parking space(s) must complete a Use of Parking Space Permit Application. A copy of said application is attached or can be obtained from the Park Plymouth website (<https://www.parkplymouth.com>). The application must provide information indicating (a) the applicant and/or property owner and contact information; (b) the location and type of project being undertaken; (c) the exact location and number of parking spaces to be utilized or taken out-of-service (including meter numbers where applicable); (d) a

******* IMPORTANT *******

All building construction projects (residential or commercial) in the Town of Plymouth must comply with Massachusetts state building codes and local building ordinances and receive a building permit from the Plymouth Building Department. For example, if an applicant's project involves a connection to utilities located in a street under a curbside parking space, a Street Opening and Trench Permit may be required from the Plymouth Inspectional Services Department with requirements for police details, reflectorized barricades, lighting, insurance coverage, abutter notification, etc.

It is the applicant's responsibility to identify and obtain all necessary construction-related permits from the Town of Plymouth as a condition for issuance of a Use of Parking Space Permit by Park Plymouth.

Many events in Plymouth also require the submission of a Special Events Application to the Town of Plymouth, in addition to this permit for using public parking spaces. Applicants for Use of Parking Space permits should also consult with Town officials to determine if the Town of Plymouth Special Events Permit requirements will also apply.

reasonable estimate of the duration of the project and length of time (days) the parking spaces will be utilized; (e) a description of any vehicles, structures or materials to be located in the parking spaces; and (f) certification that all necessary pre-approvals or permits from the Town Police, Fire, or Building Departments have been received.

Applicants for Use of Space Parking Permits should also note the following conditions:

- The Use of Parking Space Permit application must be completed in its entirety – failure to do so may result in delay of the approval from PGDC/Park Plymouth needed to start the project.
- No Use of Parking Space Permit will be approved and issued by Park Plymouth until all outstanding parking citations (if any) have been paid by the applicant;
- Park Plymouth reserves the right to disapprove or approve with conditions any Use of Parking Space Permit that involves a location in Plymouth, and would be valid during a time period, that would interfere with pedestrian safety or vehicle access during a major Town event (e.g., Plymouth Thanksgiving Parade);
- In the event abutter notification is not required by another Town of Plymouth building permit, Park Plymouth reserves the right to require any applicant for a Use of Space Parking Permit to notify abutters to the project site of the nature and duration of the impact their construction project may have on access and parking in the vicinity of their property; and,
- Use of Parking Space Permits that involve on-street parking spaces are automatically voided during a Town-declared snow emergency; in the event of a snow emergency any vehicle, structure or materials occupying an on-street parking space located within the snow zone for the parking ban must be removed until the snow emergency ends;
- All Use of Parking Space Permits are subject to review and can be revoked at any time per order of the Park Plymouth Director of Operations of PGDC Board of Directors.
- It may be necessary to name Park Plymouth/ PGDC as additional insurer(s) on the Certificate of Liability.
 - \$1,000,000 for “Each Occurrence” and \$2,000,000 for the “General Aggregate”.

Use of Parking Space Permit Fees

Application Fee. Any application for use of a public parking space(s) shall be accompanied by a non-refundable, one-time application fee of \$50.00, irrespective of the number of public parking spaces or days used.

Daily Fee for Loss of Parking Revenue. There shall also be a non-refundable daily fee for the loss of parking revenue associated with the specific parking space(s) being utilized. Said fees shall be based on the time of year the project is undertaken, the location and number of parking space(s) being taken out of service, the parking rate in effect at the time of the project, and the number of day(s) the parking space(s) will be unavailable for public use.

All loss of parking revenue fees are based on the daily impact of the project or event on the affected parking space(s) over a 10-hour period, regardless of the number of hours during the day the spaces are unavailable for use by the general public and regardless of the time of day that the construction or event may commence and end. The daily fees per space will not be prorated based on the number of hours during the day the spaces are being utilized.

It is recognized that there are numerous curbside spaces along Court Street (Route 3A), Main Street, and Main Street Extension where you can park for free up to 2 hours. The value of these spaces is therefore not measured daily in terms of any strict loss of parking revenue – because as free spaces technically there is no loss of revenue. They do have significant value, however, because they are immediately adjacent to downtown retail shops and restaurants, require regular enforcement and generate revenue from parking violations, and therefore warrant a (loss of revenue) parking permit fee for their use just as any other public parking space does (free or not).

When completing a Use of Parking Space Permit Application, all applicants are expected to be as accurate as possible in their description of the exact location and number of parking spaces to be utilized (taken out of revenue service) and the duration of its project or event. The Loss of Revenue Fees that will be due at the time of the permit application are shown in **Column 2 of Table 1**.

A Use of Parking Space Permit will be issued **only after** a complete Permit application has been submitted, reviewed and approved by Park Plymouth or the PGDC Board of Directors, and all required permit fees are paid in accordance with issued permit. And any property owner, contractor, organization or individual who knowingly disregards any of the requirements of this Use of Space Permit Policy may be referred to the Town of Plymouth Police Department for review and face the possibility of having their construction project shut down until there is compliance.

Park Plymouth enforcement officers will monitor parking conditions throughout the construction or event period for the applicant's compliance with the conditions of the Use of Parking Space Permit that is issued. If over the course of the permitted construction period or event, the initial conditions of the Use of Parking Space Permit are "violated" and the applicant is found to (a) be using a specific parking space(s) other than those uniquely identified in its application, (b) be using more parking spaces than the number of spaces requested in its application, and/or (c) using the parking spaces for more days than are permitted in its application, additional (and higher) daily permit fees shall apply. The Loss of Revenue Fees that will apply when this is found to occur are provided in **Column 3 of Table 1**.

Where violations of Use of Parking Space Permits are found to exist, and upon completion of the project or event, Park Plymouth will send the applicant an invoice (with supporting documentation) for the additional permit fees that are due. The applicant – property owner, contractor, organization or individual – must pay Park Plymouth the additional permit fees that are due within 15 calendar days of invoice receipt. Failure to do so will be grounds for Park Plymouth/PGDC to deny any future requests for a Use of Parking Space Permit from the same property owner, contractor, organization or individual. In the absence of a Use of Parking Space Permit, posted time limits, daily parking rates and enforcement policies will apply to any public parking space that is taken out-of-service for the duration of the project or event.

Waivers from Use of Parking Space Permit Requirements

Under certain conditions or for selected special events, the PGDC may grant an applicant a waiver from the above Use of Parking Space Permit requirements, including a waiver from or reduction in the permit fees that would otherwise be due. An applicant seeking a waiver from these permit requirements or fees must submit a written request to the PGDC Board of Directors for review and approval that describes in detail the bases for the exemption. Said waiver request must be submitted

at least 14 calendar days (two weeks) in advance of the project or event initiation date. This advance notice is necessary to provide adequate time for Park Plymouth to include the permit request on the next scheduled meeting of the PGDC Board and for the PGDC Board and Park Plymouth to review and approve the application.

Waivers may be considered for the following conditions:

- An event that closes a public right-of-way and requires the occupancy of a public parking space(s) for less than four (4) hours, or an event that occurs outside the normal parking enforcement hours of 9:00 AM – 7:00 PM, may be eligible for exemption from these permit requirements and fees;
- An event that the Plymouth Police Department determines requires the closure of a specific street which, in turn, denies public access to selected public parking space(s), may be exempted from these permit requirements and fees;
- Special events sanctioned by the Town of Plymouth Select Board may be exempted from these permit requirements and fees upon the request of the Town Manager, Select Board or the appropriate town department;
- A waiver from the permit fees, or a reduction in the fees, may be granted to an applicant who can describe the unique local conditions and project/event duration that might exempt the affected parking spaces from the applicable fees, and/or describe the hardship that payment of the fees represents because of the applicant's status (e.g., non-profit, public entity, etc.).

Each application for a waiver shall be evaluated on its own merits, and there shall be no presumption that special events occurring annually or otherwise periodically will qualify for a waiver or exemption from these permit requirements.

Approved by PGDC Board of Directors - May 22, 2019

TABLE 1. Park Plymouth Use of Parking Space Permit Fee Schedule *

(1) Type of Fee	(2) Fee Due w/ Application	(3) Fee Due if Application Conditions Violated**	(4) Applicability ***
Application Fee	\$50.00		All applications for Use of Parking Space Permits
Loss of Parking Revenue Fee			
December 1 thru March 31	\$5 / space / day	\$30 / space / day	All public parking spaces <u>except</u> those on Court Street, Main Street, and Main Street Extension.
	\$10 / space / day	\$30 / space / day	All on-street parking spaces on Court Street, Main Street, and Main Street Extension
April 1 thru Memorial Day	\$15 / space / day	\$30 / space / day	All public parking spaces
Memorial Day thru Labor Day	\$20 / space / day	\$30 / space / day	All public parking spaces
Labor Day thru November 31	\$15 / space / day	\$30 / space / day	All public parking spaces

- * The above permit fees are based on the current hourly parking rates in effect throughout the Park Plymouth parking system and are subject to change should hourly parking rates ever be modified by Park Plymouth in the future.
- ** A violation of an application condition is considered to have occurred when the applicant either (a) utilizes a parking space(s) that is not among those specified in his/her permit application, (b) utilizes more parking spaces than the number of spaces approved in the application, and/or (c) utilizes the permitted parking spaces for more days than the number of days approved in the application.
- ***The indicated permit fee applies to every public parking space in the Plymouth Downtown/Waterfront districts and North Plymouth regardless of whether it is free or paid, metered or un-metered, on-street or off-street, time-limited or not. For a detailed description of the Plymouth parking system, see the Park Plymouth website at www.parkplymouth.com.