

**AN ORDINANCE AMENDING SECTION 50-286 OF THE CODE OF ORDINANCES  
PERTAINING TO OVERTIME PARKING**

WHEREAS, the City of Hendersonville is authorized by statute to regulate parking in streets, lots, and like places, and

WHEREAS, the City has heretofore undertaken to regulate parking by the placement of signs and meters, and

WHEREAS, the City has since established kiosks and may in the future use other devices to regulate parking, and

WHEREAS, the City wishes to clarify that the use of all such devices constitutes notification of overtime parking,

NOW, THEREFORE, be it ordained by the City Council of the City of Hendersonville:

SECTION 1. Section 50-286 subsection (a) of the Hendersonville Code of Ordinances is hereby amended to read in its entirety as follows:

(a) If any vehicle shall remain parked in any parking space beyond the parking time limit fixed for such parking space; by indication by any clearly posted sign or other notice or by notification by any meter, kiosk or other mechanical or electronic device ~~the parking meter shall, by its dial and pointer, indicate such illegal parking, and in that event,~~ such vehicle shall be considered as parked overtime and beyond the period of legal parking time. The parking of a vehicle overtime or beyond the period of legal parking time in any part of a street, lot, or other place where any such sign, meter, or device is lawfully located shall be a violation of this division.

SECTION 2. SEVERABILITY. If any provision of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining provisions of this ordinance.

SECTION 3. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this fourth day of August 2016.

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Barbara G. Volk, Mayor

Attest:

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Tammie K. Drake, MMC, City Clerk

Approved as to form:

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Samuel H. Fritschner, City Attorney