CITY OF CHARLOTTE

Sidewalk Parking

Policy Question & Committee Charge

Policy Question:

- What changes are needed to city ordinance to clarify restrictions related to parking on sidewalks?

Committee Charge:

- Review current issues related to parking on sidewalks.
- Review current city ordinance Chapter 14 Section 14.
- Review changes proposed by staff
- Consider recommendation to Council on related ordinance amendment.

Overview of Sidewalk Parking Issues

- Vehicles parked on sidewalks – even partially, or while in a driveway – block pedestrian access.
- Creates hazards for children, older adults, and people with disabilities.
- Disrupts the intended use of public right-of-way and undermines walkability initiatives.

Impacts on Safety and Community

- Forces pedestrians into the street, increasing risk of collisions.
- Obstructs wheelchair users and strollers, impacting ADA compliance.
- Damages sidewalk infrastructure, leading to costly repairs.
- Sends a message that pedestrian spaces are secondary to vehicles, reducing neighborhood connectivity and quality of life.

Parking Provisions

- **Two provisions of the City Code address the prohibition of parking on sidewalks:**
  - §14-216(a)(9) provides that it is unlawful "to stop, stand, or park a vehicle … [o]n a sidewalk."
  - §14-130 provides that it is "unlawful to operate, drive, stop, stand, or park a vehicle upon any sidewalk or sidewalk area except at a permanent or temporary driveway."
- **Although both sections prohibit parking on sidewalks, §14-130 introduces an exception that does not appear in §14-216(a)(9). This creates an internal inconsistency within the Code.**

Language Inconsistency

- **The overlapping but different language in these two sections creates ambiguity for enforcement officers and residents. Specifically:**
  - §14-216(a)(9) contains no exceptions, while §14-130 allows limited exceptions.
  - The broader operational language in §14-130 could be interpreted to supersede or narrow the prohibition in §14-216(a)(9).
  - A risk of inconsistent application by enforcement personnel due to the lack of alignment between the two sections.
- **This inconsistency increases the risk of contested citations and reduces clarity for the public.**

Recommendation

- **To eliminate the conflict and ensure a single, clear standard, we recommend removing the driveway exception from §14-130. This amendment will:**

  - Bring §14-130 into full alignment with §14-216(a)(9).
  - Clarify that parking on sidewalks is prohibited under all circumstances.
  - Preserve the City's ability to enforce sidewalk protections uniformly.

Proposed Ordinance Amendment

The following proposed ordinance amendment reflects this change:

Sec. 14-130. - Driving on sidewalk.

It shall be unlawful to operate, drive, stop, stand, or park a vehicle upon any sidewalk or sidewalk area ~~except at a permanent or temporary driveway~~. This provision shall not be applicable to non-motorized bicycles, electric assisted bicycles operated at a speed of no more than 15 miles per hour, and electric standup scooters, which may be operated on sidewalks, except as provided in section 14-251.

(Ord. No. 2667, § 2, 8-23-2004; Ord. No. 9490, § 1.C, 1-14-2019; Ord. No. 649, § 3, 11-13-2023)

QUESTIONS?