

**DAYTON POLICE DEPARTMENT  
GENERAL ORDER  
PARKING ENFORCEMENT****KAMRAN AFZAL – DIRECTOR AND CHIEF OF POLICE**

Rev. 06/25

**POLICY STATEMENT**

Parking enforcement requires a knowledge and understanding of the ordinances and laws by those members of the department who are responsible for enforcement. City ordinance makes provisions for enforcement by Dayton Police Officers and Parking Enforcement Aides.

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**I. TYPES OF ENFORCEMENT ACTION**

- A. Parking Warning Tag – Used when stricter enforcement serves no constructive purpose, such as vehicles parked in front of the owner's residence etc.
- B. Parking Citation – Enforcement action used when vehicle is illegally parked but not in a tow zone or on the tow-in list. Parking citations are not to be used for expired license plates (See General Order 3.02-6, Towing Motor Vehicles, Section I.D.).
- C. Towing – Used when an unlawfully parked vehicle presents a hazardous condition or is on the tow-in list or is in a Tow Away Zone.
- D. Electronic Parking Citations - Sworn patrol officers and any other personnel who may issue parking citations in the course of their duties will do so through the web-based Passport parking application which can be found via a shortcut on computer and MDC desktops.
  - 1. Handwritten parking citations will only be used if there is a technical problem with the program or equipment. Technical issues must be reported to the Strategic Planning Bureau before the end of the officer's shift.
  - 2. Handwritten parking citations must be legible and entered into the Passport application from a functioning computer terminal before the end of the officer's shift.
  - 3. Parking citations completed inside the Passport parking application are automatically sent digitally to the Records section and courts.
  - 4. When issuing a warning through the Passport parking application, personnel must include a disclaimer in the notes section stating "WARNING" in all capital letters. This ensures the Records Section is notified not to process the transaction as a citation.

**II. PARKED MOTOR VEHICLES MAY BE TOWED UNDER THE FOLLOWING CIRCUMSTANCES** (See General Order 3.02-6, Towing Motor Vehicles, for towing other than parking violations):



- A. Vehicles tagged for illegal parking and remain in place more than four (4) hours after citation.
- B. Vehicles parked creating a traffic or safety hazard.
- C. Disabled vehicles left on shoulder of any highway / freeway for more than two (2) hours.
- D. Vehicles left parked, stopped, or standing on the right-of-way of a highway / freeway.
- E. Unattended vehicles parked in any intersection or on a bridge.
- F. Vehicles blocking fire exits, hydrants, or fire escape ladder or device.
- G. Vehicles parked on public property that are on the tow-in list.
  - Vehicles with four (4) or more unpaid parking citations will appear on the tow-in list. Vehicles that are on the tow-in list for these violations may be towed when the officer comes into contact with the vehicle while parked on a public street.
  - Officers may **NOT** stop a moving vehicle for merely being on the tow-in list and then tow for that reason only. If a vehicle on the tow-in list is stopped for a moving violation for which a citation is warranted and issued, then that vehicle may also be towed.
  - If the officer comes into contact with an operator and they have a reason to tow for other than the tow-in list (i.e., No operator's license) then they may tow the vehicle per current policy. (See General Order 3.02-2 section VIII.)
  - Officers may still provide the owner with the opportunity to have someone pay the unpaid citations at the Clerk of Courts Office and return to the scene in a reasonable amount of time prior to towing the vehicle.
  - Owners wishing to pay their unpaid parking / civil citations will be permitted to do so, provided they can get to the Clerk of Courts Office and back with the receipt in a timely manner.
  - Vehicles towed for being on the tow-in list are not to have a HOLD placed on them unless there is an additional crime attributed to the vehicle.
- H. Vehicles left unattended in a no stopping zone, a no standing zone, a tow-away zone or blocking a driveway other than their own.
- I. Vehicles parked in an area where road work or road construction is to be done and notification signs were posted at least 48 hours prior.
- J. Vehicles left on PUBLIC property for 48 hours or longer without the permission of the Chief of Police.
  - 1. To tow vehicles left on public property for 48 hours, officers will:
    - a. Make every effort to contact the registered owner, whether in person or over the phone, to notify them of the complaint, no matter if the complaint is self-initiated or a call for service.
    - b. Complete the duplicate Field Report form (F-347), noting the date and time of first observation of possible violation by the officer. Place the back hard copy on the vehicle. This Field Report starts a 48-hour time period where officers will be able to verify if the vehicle has moved or not.
      - 1) The top copy of the F-347 is held by the issuing officer.
    - c. Enter a FIC under the vehicle information and address located, stating when contact was made with the registered owner, or if no contact was possible, and when the F-347 was issued.



- d. After more than 48 hours have passed from the issuance of the F-347, verified by the FIC entry in MIS, and the vehicle has not moved, any officer or PEA (Parking Enforcement Aide) may tow the vehicle.

### III. PARKING IN FRONT OF THE COURT BUILDING ON PERRY STREET OR THE SAFETY BUILDING

- A. The non-metered portion on the west side of Perry Street between Second and Third Streets is designated for "Marked Dayton Police Vehicles" only. Privately owned vehicles are never permitted to park in the "Marked Dayton Police Vehicle" zone on Perry Street.
- B. In the absence of an emergency need, temporary parking in the center lane / double yellow lane on West Third Street in front of the Safety Building, 335 West Third Street, is strictly prohibited. Parking vehicles in this lane poses a safety hazard, and the presence of police vehicles only encourages citizens to also park in these zones, which is a traffic / parking violation.
- C. Parking behind or directly in front of the Safety Building is also restricted to personnel permanently assigned to the Safety Building and those with temporary passes. Personnel visiting the Safety Building are encouraged to carpool if possible and utilize available curbside parking on the North and South sides of West Third Street, West Second Street, West Fourth Street, and the West side of North Perry Street. To inquire about the current availability of parking spaces at the Safety Building parking lot, contact the Administrative Services Bureau Commander and / or the Strategic Planning Bureau Commander.

### IV. PROCEDURE WHEN TOWING A VEHICLE IN VIOLATION OF BLOCKING TRAFFIC

Officers are often involved in situations where an illegally parked or mechanically disabled vehicle is impeding traffic. In these situations, a parking citation will not solve the problem and the officer must resort to towing the vehicle.

- A. Officers will run the registration. If the registration lists the owner's address as being very close to where the vehicle was left, the officer will attempt to contact the owner. If contact is not made, or the owner will not move the vehicle immediately, the officer will request a tow truck through the RIO (Radio Information Officer).
- B. If the operator of the vehicle returns before the tow truck, issue the operator a parking citation and permit him to take the vehicle. Attempt to cancel the tow through the RIO. If the tow cannot be canceled, advise the tow truck driver that it is a "dead run". Direct an e-mail to the Tow Administrator with a copy to their respective Division Commander (Major) and District / Bureau Commander describing the time, location, tow company, reason, vehicle information, and parking citation information.
- C. If the operator returns while the tow truck is on scene, the officer will permit the tow truck driver to collect a "dead run" charge from the operator. If the operator pays the "dead run", no parking citation will be issued. Should the operator object to paying the "dead run" or does not have enough money, the officer will issue a parking citation, release the tow truck, and complete an e-mail, as detailed in Section B. above.
  - If the vehicle is already on the tow truck and the owner cannot pay the dead run fee, the officer may allow the tow to continue.
- D. If the vehicle is on the tow-In list, the vehicle will be towed regardless. No "dead run" e-mail is made.
- E. See General Order 3.02-6, Towing Motor Vehicles, Section IV.C. for information regarding the inventorying of vehicles towed for parking violations.

### V. CANCELLATION OF PARKING CITATIONS

Parking citations can only be canceled by supervisors. Supervisors will request parking citation cancellations using the Parking Citation Cancellation Form located on the Police Resource Center site.



- A. The digital form will be filled out completely and then forwarded to the following personnel in order:
  - 1. Traffic Services Unit Supervisor
  - 2. Special Operations Bureau Commander
  - 3. Community Services Division Commander
  - 4. Records (SEC\_Police\_PowerApp\_Records\_SG)
  - 5. Courts (contact the Special Operation Bureau Commander for the current Court representative)
- B. The supervisor will explain, in detail, the reason for cancellation on the cancellation form. Applicable attachments must be added and may include, but are not limited to photographs of the citation, Dayton Municipal Court Website (WEJIS) screenshots, MIS screenshots, AXON photographs, OHLEG screenshots, pertinent emails, etc.
- C. Complaints or inquiries by city administrators or elected officials regarding enforcement action taken against city employees or elected officials or by Dayton Police Officers need to be sent in writing directly to the Director and Chief of Police for appropriate review and response.
- D. Unauthorized removal or destruction of a citation, depending on the specific circumstances may constitute a criminal offense.

## VI. PRIVATE PROPERTY ENFORCEMENT

- A. Police employees may enforce "Handicapped Parking" violations on private property. It is one of the violations listed on the back of the parking citation. The handicapped space must be properly marked with both pavement markings and a visible posted sign. Violations are written on a parking citation.
- B. Police employees may enforce "Fire Lane" violations on private property under Ohio Revised Code §4511.681, Parking on private property – prohibited acts.

*If an owner of private property posts on the property, in a conspicuous manner, a prohibition against parking on the property or conditions and regulations under which parking is permitted, no person shall do either of the following:*

- (1) Park a vehicle on the property without the owner's consent;*
- (2) Park a vehicle on the property in violation of any condition or regulation posted by the owner.*

- 2. Officers may issue parking citations if signs for parking on private property are posted but if the private property owner requests that any vehicles to be towed, they must do so on their own and are responsible for contacting a tow company. The Code for the violation would be: **Other** - 4511.681 – Private Property Posted.

## VII. CENTRAL BUSINESS DISTRICT PARKING METERS – PASSPORT PAY BY MOBILE PARKING

- A. This program only applies to vehicles parked at parking meters in CBD (Central Business District).
- B. Most City parking meters are set up to accommodate the Passport Pay by Mobile Parking system, with meter numbers and zones assigned. The signs have been posted for this service since February 2022.
- C. For parking enforcement at meters, our meters physically show a red flashing light for an expired meter. Under the Passport Pay system, users of the meters will pay through the mobile application, with no way of triggering the flashing light to show it as current. So, a red flashing light does not necessarily mean the vehicle is parked at an expired meter.
- D. Because of this, all meters that have LED lights flashing red with a car parked in that parking location need to be checked through the Passport Pay enforcement website, <https://ppprk.com/parkmonitor/> before enforcement action is taken to determine if the meter is currently paid through the Passport system.



1. If the site shows the meter as paid with a vehicle parked there, no enforcement action will be taken.
  2. If the meter light is flashing red and the site shows as not paid for that particular spot, enforcement action may be taken.
- E. All PEAs (Parking Enforcement Aides) and officers assigned to CBD will have access to the Passport Park Monitor through the internet. If any officer who is not assigned to CBD needs to issue a parking citation at a downtown parking meter, they will need to contact a PEA or a CBD officer to go through the above verification process.
- Car in the space, meter light is green or blank: No Violation
  - Car in the space, meter light is red, Check Passport, Valid Session: No Violation
  - Car in the space, meter light is red, Check Passport, No Valid Session: VIOLATION

#### **VIII. VEHICLE IMMOBILIZATION ORDERS**

- A. Dayton Police personnel responsible for fulfilling Dayton Municipal Court orders to immobilize vehicles, shall only do so when utilizing exterior vehicle immobilization devices. Examples of exterior vehicle immobilization devices include, but are not limited to, vehicle wheel boots and trailer wheel boots.
- B. Interior immobilization devices, such as steering wheel locks, may be used when the defendant grants consent for Dayton Police personnel to enter their unlocked vehicle to secure the device.
- C. If a Court order mandates the use of an interior immobilization device on a locked vehicle, entry using a universal lock out tool may be used, but only after authorization from a supervisor. In these instances, the authorizing supervisor must complete the required BlueTeam Incident Report as outlined in General Order 3.03-9 Forced Entry Policy.