



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 6/11/2026

File ID: TMP-7012

Department: City Council

Subject:

Type of Action: Introduction

Introduction of an Ordinance amending Chapter 8 of the Code of Ordinances of the City of Huntsville to add Article VI concerning Private Park and Pay Facilities.

Ordinance No.

Finance Information:

Account Number: NA

City Cost Amount: NA

Total Cost: NA

Special Circumstances:

Grant Funded: NA

Grant Title - CFDA or granting Agency: NA

Resolution #: NA

Location: (list below)

Address: NA

District: District 1 District 2 District 3 District 4 District 5

Additional Comments:

ORDINANCE NO: 26- _____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama as follows:

Section 1. Chapter 8 of the Code of Ordinances of the City of Huntsville, Alabama, is hereby amended by adding the following Article VI:

ARTICLE VI. – PRIVATE PARK AND PAY FACILITIES

Sec. 8-451. Definitions. The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Attended pay station means a pay station staffed by a human being who is an employee of the private park and pay facility operator and who collects standard usage fee at all times when the facility is open for parking by patrons.

Contact number means a local or toll-free telephone number that a private park and pay facility operator provides to its patrons in accordance with section 8-453 of this article.

Director of parking means the city's director of parking and public transit or his designee or subordinate.

Motor vehicle or *vehicle* means every vehicle which is self-propelled.

Parking facility means an off-street area, lot, or garage used for the temporary parking of motor vehicles. The term does not include a motor vehicle storage facility or a facility used for the servicing, repair, or maintenance of motor vehicles.

Parking charge means any fee or charge required of a patron in connection with parking their vehicle in the private park and pay facility, including the standard usage fee required to be paid to park in the facility and any other charge other than the standard usage fee.

Patron means a vehicle owner/operator who parks in or upon a private park and pay facility.

Principal means any person that is a sole proprietor, shareholder of a privately held corporation, officer, director, principal, partner, member if the member manages or has the right to manage the entity or organization, or any other person serving as a part of the governing authority of an entity.

Private park and pay facility means a privately owned or operated parking facility that is not owned or operated by, or on behalf of, a governmental body, agency, public corporation or authority, or instrumentality, which is open for the temporary parking of a motor vehicle on an as-needed basis by members of the general public for short, flexible periods (hourly or daily), where payment is expected of a patron at the time of parking.

Private park and pay facility operator means the person that operates a private park and pay facility including its owner, lessee, or other person in lawful possession of a private park and pay facility, or any person engaged to manage a private park and pay facility on behalf of the owner.

Vehicle owner/operator means the owner, operator, or other person in lawful control of a motor vehicle.

Sec. 8-452. Invoices and receipts.

(a) *Invoices.*

(1) All demands for payment of a parking charge shall be made by issuing to the patron a paper or non-paper (digital) invoice itemizing the payment due and shall otherwise meet the requirements of this section.

(2) *Invoice disclaimer required.* Each invoice shall contain the following statement at the top in bold and all capital letters:

THIS INVOICE IS PRIVATELY ISSUED, IS NOT ISSUED BY A GOVERNMENTAL AUTHORITY, AND IS NOT SUBJECT TO CRIMINAL PENALTIES.

(3) It shall be a violation of this article for a private park and pay facility operator to identify, or allow those acting on its behalf to identify, an invoice as a government-issued ticket or a citation.

(b) *Invoices and receipts.* At a minimum each invoice or receipt shall contain the following information:

(1) The name of the private park and pay facility operator and the contact number required in this article;

(2) The number assigned by the operator to the transaction;

(3) Any identifying information concerning the vehicle collected by the private park and pay facility operator;

(4) An itemization of the parking charges;

(5) The location, date, and time period when the transaction occurred;

(6) Confirmation of the completion of the transaction; and

(7) A detailed explanation of how a patron may dispute a parking charge.

(c) It shall be a violation of this section for a private park and pay facility operator to fail to issue the invoice or receipt as required under this section.

Sec. 8-453. Contact number.

(a) Each private park and pay facility operator shall maintain at least one local or toll-free telephone number for its patrons to call during the following times: (1) during normal business hours and (2) at all times when the private park and pay facility is open for parking by patrons.

(b) The contact number shall be answered promptly by knowledgeable personnel (human beings) who can respond to patron inquiries or provide assistance.

Sec. 8-454. When charges prohibited.

(a) *Without required signage.* It shall be a violation of this article for a private park and pay facility operator, its principals, servants, agents, employees, or independent contractors engaged by the operator, to charge or collect, or attempt to charge or collect, a parking charge when the on-site signage required under this article is not present

(b) *Grace period.* A private park and pay facility operator shall provide patrons or potential patrons with at least a 15-minute grace period within which to enter and exit a parking space without charge.

Sec. 8-455. Signage.

(a) *Signage generally.*

(1) *Required.*

a. At a minimum each private park and pay facility operator shall install the signage prescribed in this section. Failure to do so shall constitute a violation of this article and each day that the violation continues shall be a separate offense.

b. No parking charges shall be collected until the signage required under this article has been installed in accordance with this article.

(2) *Standards generally.*

a. Signage shall be easily readable from at least 10 feet from the entry point of the facility in the case of entrance signage and five feet in the case of all other signage, shall contain reflective lettering, shall be acceptable in form and design (including color-palette) to the city's director of parking, and shall not contain any language that implies it is a municipal or governmental parking facility.

b. Each sign shall: (i) be maintained in good condition and repair and free from any type of visual obstruction, (ii) be permanently affixed and remain upright, (iii) be made of durable materials, (iv) contain text which is clearly readable and whose content is tamper-proof, and (v) for private enforcement parking facilities that are open during night-time hours, contain content that is clearly visible by some form of illumination or reflective text at all times.

c. All signage shall be located on private property and outside the public rights-of-way by at least five feet, or such other distance prescribed by the city.

d. Signs that are required to be posted under this article shall contain no other information than the required information, unless the director of parking, in his discretion, determines that the additional verbiage will not interfere with the purpose for the signage.

(3) Where parking charges are also published digitally the charges shall be the same as those posted on the signage. In the case of a conflict, the lesser of the two amounts shall apply.

(b) *Entrance signage.*

(1) An entrance sign shall be located the closer of each street entrance or each point of ingress for the parking facility or as may otherwise be required or allowed by the director of parking. The signage shall be oriented so as to be readable to a patron entering the facility. The bottom of the sign face shall be at least four feet above finished grade and the top of the sign not more than eight feet above finished grade. The dimensions of the sign face shall measure at least 24 inches by 24 inches and not larger than six square feet.

(2) For a private park and pay facility each entrance signage shall contain the following or similar information:

PRIVATE PARK & PAY OPEN TO PUBLIC AT STATED TIMES

Other descriptions, if needed, which must be approved by the director of parking

(3) Each entrance sign shall also contain the name of the private park and pay facility operator.

(c) *Interior signage.*

(1) *Location and number.* The location and number of interior signage shall be as follows:

a. A private park and pay facility with an attended pay station shall have one interior sign at or adjacent to each attended pay station.

b. A private park and pay facility with a gated pay-to-enter or pay-to-exit pay station shall have one interior sign at or adjacent to each gated point of entry or exit.

c. A private park and pay facility that is a surface lot shall have one interior sign for at least every ten parking spaces.

d. A private park and pay facility that is a multi-level garage shall have one interior sign at the start of each parking level.

(2) *Size.* The bottom of the sign face shall be at least four feet above finished grade and the top of the sign not more than eight feet above finished grade. The dimensions of

the sign face shall measure at least 18 inches by 18 inches and not larger than four square feet.

(3) *Content.* Each interior signage shall contain:

- a. The name and contact information, including required contact number, for the private park and pay facility operator;
- b. Day and time when public parking is allowed;
- c. Standard usage fee;
- d. Penalty charges and methods of enforcement, if any, which apply; and
- e. Other information, if needed, which must be approved by the director of parking.

(d) *Signage waiver.* Where there are practical difficulties involved in carrying out the requirements of this section or where there is a reasonable alternative to a requirement under this section, the park and pay facility operator may request in writing, stating the basis therefor, that the director of parking grant a waiver from or modification of a specific requirement. The director may grant the waiver or modification if he determines that the special individual reason makes compliance with the strict letter of this section impractical or the proposed alternative is in compliance with the intent and purpose of this section; and that, in either case, public safety is not implicated.

(e) Nothing in this article shall be construed to affect any other provisions of this Code concerning the posting of signage related to parking on private property.

Section 2. The severability provisions of section 1-8 of the Code of Ordinances of the City of Huntsville, Alabama are specifically included herein by reference as if fully set forth.

Section 3. This Ordinance shall become effective September 1, 2026.

ADOPTED this the _____ day of _____, 2026.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the _____ day of _____, 2026.

Mayor of the City of
Huntsville, Alabama