



**PHOENIX SKY HARBOR
INTERNATIONAL AIRPORT**

America's Friendliest Airport™

City of Phoenix Aviation Department Rules & Regulations

Number: 07-01

Authority: This Rule and Regulation is promulgated pursuant to City Code Chapter 4; Article 58.

**Rule and
Regulation:** Employee Parking Program

1. Definition

The City of Phoenix Aviation Department provides parking for authorized employees working at Phoenix Sky Harbor International Airport ("Airport"). Parking and shuttle bus service is provided to employees of airlines, retail and food concessions, commercial use permit companies, cargo companies, government agencies, Airport contractors, and others as authorized by the Aviation Director. Employee parking is provided on a space available basis.

Companies or agencies with land leases that include parking areas may park employees on their leasehold without participation in the Aviation Department's employee parking program. These companies are responsible for transportation of their employees to worksites if such worksites are not adjacent to the leasehold.

2. Terms and Conditions on the Use of Airport Parking Privileges

- a. Airport employee parking privileges, whether parking in an employee or public lot, are for conduct of official Airport-related duties only. Airport employee parking privileges may not be used for vacations, personal business matters, or business travel unrelated to the Airport.
- b. If an employee uses an Airport public parking facility for personal business (such as for personal travel or for picking-up or dropping-off others), the employee shall pay the posted fees.
- c. Parking permits and access cards are provided for the exclusive use of the authorized employee. Parking privileges assigned to an employee may not be transferred or shared with other employees, spouses, friends or relatives.

- d. For those assigned a parking card, the card must be used to both enter and exit the parking facility. For those assigned a parking permit, a current permit must be prominently displayed at all times while vehicle is in the facility. Employees who forget their parking card or permit are responsible for any fees incurred to park in an alternate location.
- e. No vehicle may tailgate another vehicle to gain access or to exit an Airport parking facility. Further, if a vehicle operator tailgates another vehicle resulting in damages to either a vehicle or to Airport property, the vehicle operator is responsible for cost of repairs.
- f. Either a City of Phoenix Airport badge, or a company-issued identification badge, is required to enter Airport employee parking facilities and/or board the employee shuttle bus. Other individuals are allowed in employee parking facilities only if escorted by an authorized employee.
- g. Employees are to park only in the facility assigned to them.
- h. Employees may not use forged, stolen or lost permits or cards to enter or exit an airport parking facility.
- i. Upon termination of employment, Employees must return parking cards or permits to their employer or the Operations Parking Office.
- j. Parking cards and permits are valid for only one vehicle in any parking facility at a given time.
- k. Possession of a parking card or permit does not guarantee parking availability in a given facility. The Aviation Department may require employee to park at an alternate Facility.
- l. Only vehicles with current and valid registration and tags are allowed to park in Airport parking facilities.
- m. Vehicles shall occupy one parking space only; oversize vehicles are prohibited.
- n. Employees may not use their vehicle for camping or sleeping within an Airport parking facility.
- o. Mechanical work, other than a jump-start, tire change, or radiator fill, is prohibited in an Airport Parking Facility. Further, vehicles that become inoperable due to mechanical or other failure must be removed from the Airport's parking facilities as soon as feasibly possible.
- p. The Aviation Department may relocate an employee vehicle to perform parking facility maintenance or repairs, or to maintain safe operation of the Parking Facility.
- q. Neither the City of Phoenix, its authorized Parking Operator, nor any other Airport contractor shall be responsible for loss or damage to vehicles or vehicle contents caused by theft, fire, or any other cause.

3. Terms and Conditions for Duration of Stay

- An Airport employee may only use their Airport parking permit or access card during the time the employee is actually conducting official Airport-related duties.
- Phoenix-based flight crew employees may only use their Airport parking permit or access card for the duration of their airline-assigned trip.
- Employees assigned a manager parking card are restricted to 7 days in a revenue generating public facility. Managers who have need to park beyond 7 days for official business may park in a remote employee parking lot.
- Vehicles parked in a public or employee parking facility for more than 30 days using an Airport parking permit or access card will be deemed abandoned. Said vehicles will be impounded and processed for auction in accordance with Arizona Revised Statutes, Section 28-4801 through 28-4843.

4. Employee Parking Locations

The Aviation Director has exclusive authority for designating employee parking locations and assignments and for modifying such locations and assignments as deemed necessary.

Employees assigned to public parking facilities are to park in the remote areas of the facilities to allow the more convenient spaces to be used by Airport customers. Remote areas of the Airport's public parking facilities are as follows:

- Terminal 2 garage: Lower Level – Areas A1, B1 and C1 (west end) and Areas J1 and K1 (east end)
- Terminal 3 garage: Level 5 or Level 6
- Terminal 4 garage: Levels 8 and 9
- East Economy Lot:
 - Garage A: Level 7 or 8
 - Garage B: Level 5 or 6

If a remote area is unavailable, employees shall park as close to the designated remote areas as possible.

5. Company Accounts Set-up, Invoicing, Employee Status Changes, and Payment

All companies authorized to participate in the Airport Employee Parking Program must establish an account with the Operations Parking Office and provide information on authorized account representatives.

Monthly parking fees for participation in the Airport employee parking program are established in PCC 4-58. The Aviation Director may waive these parking fees for government agencies or persons or entities that provide services to the City of Phoenix Aviation Department. However, all other aspects of this Rule and Regulation still apply.

Employers are responsible for payment of monthly parking fees for employees enrolled under the company's account. In addition, the employer is responsible for payment of an administrative fee as prescribed in PCC 4-58 for the issuance of a new employee parking card; the administrative fee can be waived by Parking Office personnel if the company is reusing a parking card from a terminated employee.

Parking services are invoiced 30 days in advance and are due within 30 days of the invoice date. Per PCC Sec. 2-45.2, there is an \$18 processing fee for returned checks. Invoices not paid in full by the due date will be charged delinquent account fees at 1.5% per month (not to exceed 18% per annum) as established in PCC Sec. 4-7. In addition, company accounts delinquent more than 60 days may have parking privileges suspended for all enrolled employees until the account is brought current.

It is the responsibility of the company account representative(s) to notify the Parking Office of any additions or deletions of employees from their parking account on a timely basis. Adjustments to invoices for a given month will be included in the following month's invoice. The adjustments will be based on the following:

- Employees added on or before the 15th of each month will be charged at the full monthly parking fee. Employees added on or after the 16th of the month will be charged at ½ the monthly parking fee.
- Employees deleted on or before the 15th of the month will be charged at ½ the monthly parking fee. Employees deleted on or after the 16th of month will be charged at the full monthly parking fee.

A company may dispute the invoice amount by contacting the Parking Office in writing as to why the invoice is disputed. *However, the Company shall pay the invoiced amount by the date due.* Any subsequent adjustments to the invoice based on information provided by the Company, and agreed to by the Department, will be reflected in the following month's invoice. Failure to provide notice of changes to employees assigned to an account will not be grounds for dispute of an invoice.

If a company has an employee who will be on leave for more than 30 days, the company may "freeze" the employee's parking fees by submitting a Parking Account Status Form along with the employee's parking card or hanger to the Aviation Department Parking Office immediately upon or prior to the employee's leave. Upon the employee's return, the company shall contact the Operations Parking Office to request the account be reactivated. Credit for unused months will not be given retroactively.

6. Lost, stolen, or damaged parking access cards or permits

- Fees for lost or stolen parking access cards or permits will be assessed against the employee, not the company.
- Access cards and permits which are lost, stolen, or damaged may be replaced for a fee of \$25 for the first calendar year event, \$50 for the second calendar year event, \$75 for a third calendar year event, and \$100 for all subsequent calendar year events.
- Access cards which no longer work properly due to a card defect will be replaced at no charge.

7. Other Parking Programs

- Motorcycle parking:** The Aviation Department provides designated motorcycle parking in its employee parking facilities. Employees who use their access card to park their motorcycle within their assigned parking facility do not need to get a separate permit for their motorcycle. However, employees who choose to park a motorcycle in either the Terminal 4 former Rent-a-Car center (T4 RAC) or the Terminal 2 Operations Lot must obtain a permit from the Parking Office. The permit must be carried by the motorcycle driver and be shown at the request of parking enforcement personnel. Employees who are already enrolled with the Parking Office for a passenger vehicle will not be charged an additional fee for the motorcycle permit. However, employees who drive a motorcycle only will be charged a reduced monthly fee, as prescribed in PCC 4-58, for parking in these permit lots.
- Manager cards:** Airline, concessionaire, and commercial use permit companies authorized to participate in the Airport employee parking program will be allotted a limited number of global access parking cards which will provide access to all Airport parking facilities. The cards are intended for use by employees responsible for the company's day-to-day operations at Sky Harbor. Use restrictions as outlined in this Rule and Regulation apply. These cards will be allocated in a manner prescribed by the Aviation Director.

- c. **Carpool parking:** The Parking Operations Office has a limited number of parking permits available in the Terminal 4 former Rent-a-Car center (T4 RAC) for Terminal 4 companies who operate a carpool program. Such permits are to be purchased by the company at the prevailing monthly parking fee established in PCC 4-58. To participate in this program, a company must agree to abide by the spirit of the Maricopa County Clean Air Program by only enrolling employees with a commitment to carpooling. Further, the company must provide the names of carpool partners prior to receipt of permits. Selection of carpool participants and enforcement of carpool guidelines are the sole responsibility of the company.

8. **Enforcement Action for Violation of Parking Regulations**

Enforcement of parking regulations is conducted by the Operations Division, the contract parking operator, and the Phoenix Police Department. Employees who violate employee parking program regulations risk receiving a citation and/or vehicle tow. In addition, the Parking Office may apply other sanctions including suspension or revocation of parking privileges as well as requiring repayment of parking fees associated with the violation.

- a. **Citation and tow:** Operations Division field personnel and Airport Police officers may immediately cite and tow any vehicle found to be in violation of City and/or Airport parking regulations. Any citations issued in association with a violation must be addressed through the Phoenix Municipal Court process through payment of fees and/or a request for a hearing.

Prior to release of a towed vehicle, the registered owner or other individual entitled to possession of the vehicle must pay all towing and storage fees, or post a bond in the amount of the towing and storage fees that have accrued. The owner or operator of a vehicle towed and impounded by the Phoenix Aviation Department is entitled to a post-tow hearing under PCC 4-54.

- b. **Suspension or Revocation:** Violation of parking rules, whether or not a citation is involved, may result in the suspension or revocation of the employee from the parking program. The decision to suspend or revoke a parking permit or access card will be expressed to the employee and the company's parking representative.

While the recommended action will vary depending on the severity of the violation, the following provides general guidance for action.

1 ST Offense	Two-week suspension from the Employee Parking Program
2 nd Offense	One-month suspension from the Employee Parking Program
3 rd Offense	Three-month suspension from the Employee Parking Program
4 th Offense	Permanent removal from the Employee Parking Program

During a period of suspension or following program revocation, the Airport is not responsible for finding alternate parking or transportation for the employee.

- c. **Imposition of Parking Fees:** Violators are also responsible for payment of any parking fees associated with the misuse of parking privileges such as lending of a card or permit, parking on vacation or personal business, or having multiple vehicles in a facility at any given time. Fees for misuse, whether in a public or employee-only facility, will be assessed at the prevailing public rates. Any fees due must be paid prior to reinstatement in the program.

9. Appeal of Suspensions, Revocations, and Fee Impositions

Any employee aggrieved by a decision to impose a suspension or revocation of parking privileges or imposition of parking fees may appeal the decision in accordance with the following requirements. Suspensions of fourteen (14) days or less are not subject to appeal.

The employee shall file a Notice of Appeal with the Aviation Parking Superintendent within five (5) business days of the date of notification. The Notice of Appeal shall set forth the specific objections to the disciplinary action. The objections shall form the basis of the appeal.

The Deputy Aviation Director – Operations shall be the hearing officer or shall designate a hearing officer for all Appeals of parking suspensions, revocations, or parking fee impositions. The hearing officer shall set a time and place for the hearing no later than fifteen (15) business days after receipt of the Notice of Appeal.

The hearing shall be conducted in an informal manner to determine whether there is a sufficient factual and legal basis to support the sanction.

The hearing officer shall not be bound by the technical rules of evidence in the conduct of such hearings. The decision of the hearing officer shall be

based upon substantial and reliable evidence. All parties to the hearing shall have the right to present evidence. The burden of proof shall be at all times upon the party or parties appealing the sanction.

The decision of the hearing officer shall be rendered within fifteen (15) business days after the closing of the record and shall be based upon the evidence presented and it shall:

1. Affirm the sanction(s);
2. Modify the sanction(s); or
3. Reverse the sanction(s).

The decision of the hearing officer is final.


10. Designees

The Aviation Director designates the Deputy Aviation Director – Operations, who may appoint designees that may include the contract parking operator, to carry out the duties of this Rule and Regulation, including conducting inspections and enforcing these parking regulations.

11. Application

This program applies to entities and employees enrolled in the Phoenix Aviation Department employee parking program and/or using the Airport's parking facilities.

The foregoing Rule and Regulation is hereby adopted and promulgated this 12 day of March, 2010.



Danny Murphy
Aviation Director



Nancy Kesteloot
Assistant Chief Counsel