

# Proposed Article: Parking Disclosure Requirement

To see if the Town will vote to amend the Town Bylaws to establish a new bylaw in Title V Regulations Upon the Use of Private Property to require property owners to disclose information about public parking availability on adjacent streets to potential renters or buyers prior to entering into any lease or sale agreement, including setting forth penalties; or take any action related thereto.

## Summary

The goal of this article is to help people find housing that meets their parking needs. Not everyone needs parking, or parking for more than one car, but people finding out about the lack of nearby on-street parking after they have committed to moving not only impacts new residents:

- It can create tension between neighbors and
- It can add to town administrative costs via parking-related complaints.

Town Meeting can't place requirements on lease or sales agreements, or set parking rules, but it can set rules about behaviors that impact the community:

- A bylaw will set an expectation that real estate transactions be transparent about street parking rules in the immediate vicinity of the property to potential renters or buyers.
- Transparency will help people join the community knowing that they will have access to the parking that they need.

## Proposed Wording

Property owners shall disclose information about public parking availability and restrictions on adjacent streets to potential renters or buyers prior to entering into any lease or sale agreement. Violators will be subject to a fine of \$100. Notice can take the form of directing potential renters or buyers to parking policies posted on the town website, or a statement that on-street parking may be subject to restrictions.

## Motivation

From time to time I hear stories where people say that they rented property and were either told that they could park on the street or didn't realize that they could not. Some have even said that a realtor misinformed them (gave them incorrect or outdated information).

This bylaw seeks to hold property owners accountable when prospective residents are surprised about on-street parking availability.

***FAQ Follows***

# FAQ

## How might this work?

A property owner or their agent could inform a prospective renter or purchaser with:

- A document saying that they were informed of parking availability,
- A statement included in a lease or other document.
- A simple statement such as “there may be restrictions, check the town website.”
- A mention of restrictions in the rental/sale advertisement.

## What value does this add?

This will reduce

- the likelihood that people will establish a residence that does not have adequate parking.
- the burden on town parking enforcement officials.

## What will the impact be?

Even if the enforcement level and fine may not be a significant deterrent, having a bylaw will set expectations. No regulation will save everyone from determined bad actors, but a new bylaw will help inform people of what to be aware of. This is true of many bylaws.

## Doesn't the Select Board control parking?

The Select Board regulates parking. This proposal doesn't impact parking rules or parking enforcement. It is a way to help people gain assurance that the housing they are exploring meets their needs.

## Isn't the real issue the overnight parking rule?

This is separate from the overnight parking by law; it seeks to have people be informed of their parking circumstances. This can lead to a more informed discussion of the bylaw in the future.

## What's the Impact? How many people are unaware?

To better measure the impact that I gathered from anecdotes, I conducted an unscientific survey on the Arlington List Facebook group the weekend of Feb 24-26 asking if people were aware of overnight parking restrictions when they first moved here.

- Out of **492** Answers **31%** said that they were not aware.
- There were many anecdotes of people being misinformed

## Are there any comparable bylaws?

- ARTICLE 17 VACANT STOREFRONT MAINTENANCE REGISTRY: This establishes penalties based on the status of a rental agreement.
- ARTICLE 2 JUNK CARS: This changes the rules about where parking can be on private property (Touches on “parking” ).
- ARTICLE 18 SHORT TERM RENTALS: Places restrictions on short term rental agreements (places conditions on the use of a property).