

*Kevin W.W. Johnson*

Hon. Jerrold L. Albrecht, Member  
Portsmouth City Council  
1420 Summit Street  
Portsmouth, OH 45662-3763

December 7, 2005

Dear Mr. Albrecht:

It is with regret that I submit to you my resignation as a member of the Traffic Committee for the City of Portsmouth. As much as I appreciate your having considered me, and as much as I truly enjoy working for the betterment of our City, I find that I can no longer work with a City department so totally disinterested in a major problem faced by many retail merchants in downtown Portsmouth.

Since the opening of The Emporium at Portsmouth, which I co-own and operate with Paul E. Johnson, we have – with other businesses – pleaded with the City and Police Department to enforce parking in downtown Portsmouth. In fact, the lead headline in the *Portsmouth Daily Times* for Tuesday, December 18, 2002, was “Parking to be better enforced: Mayor Bauer responds to pleas from merchants that their business is being hurt.”

Non-retail occupants of the Masonic Building, National City Bank Building, Fifth Third Bank Building and other service (non-retail) buildings consider Chillicothe, Gallia and the intersecting streets as their personal parking lots – ignoring the two-hour (per 24 hours) parking limitation established by City Traffic Code 351.20 (a) (Two-Hour Limited Parking). (See attached.)

And, to add insult to injury, the Police Department has totally ignored the City Traffic Code 351.20 (b) which states: “Two part-time people from the City’s seasonal pool will be assigned, on a full-time basis and under the direction and supervision of the Chief of Police, to enforce all parking restriction in the above designated areas. (Ord. 1998-174. Passed 12-14-98.)” As a result of non-compliance and non-enforcement by the Police Department, business such as Advanced-Tech Hearing Aid Center, The Emporium at Portsmouth, Kay Jewelry Co., Morgan Brothers Jewelers, Morgan Stanley, Perfect Scents & Such, and others are forced to call the Police Department – often on a daily basis – to report problems with parking.

The final insult, however – and the impetus for my resignation – was blocking off some nine parking spaces across the street from us in front of the Masonic Building so that windows could be replaced. That they chose the Christmas

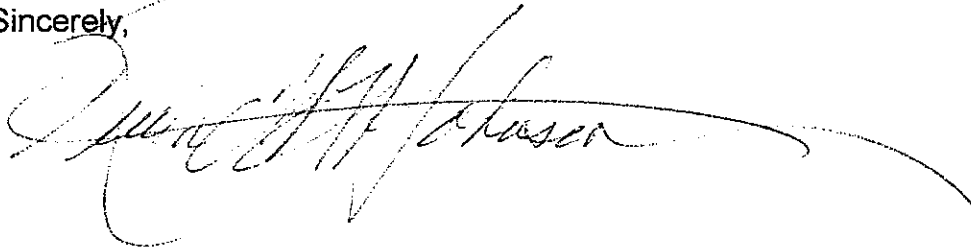
season – a make or break retail shopping period for many merchants – to accomplish this work and restrict parking is unbelievable, un-neighborly and an incredible restraint of trade action. And that the Chief of Police, reportedly, personally approved the permit to block off all this parking, without the courtesy of informing or seeking the advice of affected merchants, is beyond belief.

I have been fortunate to have, in my past, worked with such mayors as Dianne Feinstein of San Francisco, CA (now a California U.S. Senator) and Bill McManigal of Concord, CA (a former FBI agent) concerning Police Department activities. In addition, I have worked with the Police Chiefs of Concord, CA (Ron Ace), Healdsburg, CA (Susan Jones), San Francisco, CA (Charles Gain) and Sheriff Mike Hennessey of San Francisco. I am also a graduate of the Concord, CA Police Academy. I mention these only to indicate I am not unaware of the problems facing our police departments; quite the contrary. I am more aware of their operations and problems than most.

But I have to admit I've never dealt with a Police Department that considers dealing with parking issues 'beneath them.' Nor have I known of a City Council to be so unaware of a department ignoring city code or so unaware that there is practically no parking in the downtown area for shoppers.

Again, it is with regret that I resign from the Traffic Committee. I find I must identify and pursue other avenues to solve a particularly costly problem faced by numerous businesses in downtown Portsmouth.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert H. Johnson", with a long horizontal flourish extending to the right.

cc: City Council  
Mayor  
Police Chief

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PORTSMOUTH, OH 45662-4023  
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**351.18 LIMITED PARKING ON MUNICIPAL PARKING LOTS AND CHILlicothe STREET.**

(EDITOR'S NOTE: Former Section 351.18 was repealed by Ordinance 2003-92, passed September 22, 2003.)

**351.19 LIMITATION OF PARKING IN RESIDENTIAL DISTRICTS.**

(a) The provision of parking space, either open or enclosed, for the parking or storage of vehicles in a residential or apartment zoning district shall be subject to the following:

- (1) Commercial vehicles. Not more than one truck limited to being a two-axle, four-tired pickup, panel or light truck and which has operating characteristics similar to those of a passenger car shall be allowed per one dwelling unit.
- (2) Camping vehicles, trailers and motor homes. A camping vehicle, trailer, (boat, horse, cargo or similar use), may be parked for a period not to exceed forty-eight hours in front of a building line. For longer periods, such equipment shall be stored behind the building line. No living quarters shall be maintained nor any business conducted in connection therewith while such vehicle is stored. In a residential district where a lot will not allow storage behind the building line, a variance of this requirement may be issued by the Building Department if the abutting property owners have no objections. (Ord. 2002-56. Passed 5-29-02.)
- (3) Junk vehicles. The parking or storage of junk vehicles shall be regulated as in Chapter 303.
- (4) Inoperable automobiles. Not more than one inoperable automobile shall be allowed per one dwelling unit. Such automobile shall be parked or stored only for a period not to exceed forty-eight hours unless such parking or storage space shall be enclosed by a structure, fence or otherwise protected so that the automobile cannot be entered upon or seen from an adjacent lot or street. This provision shall apply to all inoperable antique, collector's item or historical motor vehicles. (Ord. 2002-56. Passed 5-29-02.)
- (5) Unlicensed vehicles. Not more than two motor vehicles which display motor vehicle dealer's tags shall be allowed per one dwelling unit. (Ord. 1990-115. Passed 10-9-90.)

**351.20 TWO-HOUR LIMITED PARKING.**

(a) For any twenty-four hour period beginning at midnight and ending at the following midnight, no vehicle shall be parked for more than two hours total consecutive time in any one parking place on any of the following streets: Second St. from Chillicothe St. to Market St.; Market St. between 2nd and 3rd Streets; Chillicothe St. from 2nd to 9th Streets; Third St. from first alley west of Chillicothe St. to Third St. connector east of Chillicothe St.; 4th St. from First alley west of Chillicothe St. east to Gay St.; 5th St. from Washington St. east to Chillicothe St.; Gallia St. from Chillicothe St. east to Harvard St.; Sixth St. from Court St. east to Findlay; east side of Findlay St. from Gallia St. to 6th St. and west side of Findlay St. from 6th St. north to 7th St.; 7th St. from Court St. east to Findlay Street.

(b) Two part-time people from the City's seasonal pool will be assigned, on a full-time basis and under the direction and supervision of the Chief of Police, to enforce all parking restriction in the above designated areas. (Ord. 1998-174. Passed 12-14-98.)