

351.19 TRUCK PARKING IN RESIDENTIAL AREAS.

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351.19 TRUCK PARKING IN RESIDENTIAL AREAS.

CHAPTER 351 Parking Generally

351.15 SNOW EMERGENCY.

(a) It is hereby declared to be necessary and in the best interest of the City to regulate and restrict the parking of vehicles on public streets during snow emergencies.

(b) A snow emergency is hereby declared for a period of time when snow in the amount of two inches or more has fallen on, or is falling on, the City, or whenever such emergency is declared to exist by the Service Director.

(c) A snow emergency shall continue in effect until the Service Director determines that an emergency no longer exists and accordingly terminates such an emergency.

(d) No owner, driver or operator of any vehicle shall park or stop the same, or permit the same to be parked or to stand, at any time during the periods of any snow emergency on any of the streets, avenues, boulevards, parkways or highways in the City.

(e) Any police officer, upon discovering any such vehicle parked or stopped in violation of this section, may remove such vehicle, or cause the same to be removed, to any City owned property, or to a private garage or place authorized to hold and store such automobiles.

(f) A reasonable towing charge may be assessed against the owner, driver or operator of any vehicle removed pursuant to this section.

(g) Signs shall be posted on all roads leading into the City bearing a legend indicating that all streets in the City are snow emergency streets.

(h) Any person charged with a violation of this section may pay the sum of twenty-five dollars (\$25.00) as a fine which fine shall be the minimum fine for such violation. Said twenty-five dollars (\$25.00) may be paid provided said fine is paid within forty-eight hours from the time the violation was issued. In the event said fine is not paid within said forty-eight hour period from the time the violation was issued, then the fine shall be no less than twenty-five dollars (\$25.00) but may be any amount in excess of twenty-five dollars (\$25.00) that may be assessed pursuant to the provisions of Section 351.99(a).

(Ord. 21-00. Passed 3-28-00.)

351.16 FIRE LANES.

(a) The Fire Chief is hereby authorized to establish fire lanes on either public or private property within the Municipality upon finding that the following conditions exist:

(1) That a fire lane is necessary for safeguarding life and property from the hazards of fire and explosion and for the use and occupancy of buildings and structures and adjacent property;

(2) That a fire lane is incidental to a retail, commercial or manufacturing use or other use where it can reasonably be expected that the public will assemble in sufficient numbers so that the presence of the public and their motor vehicles, if not controlled, will interfere with the operation of fire fighting equipment and personnel and the egress of occupants in the case of fire.

(b) Fire lanes shall be of such width as is reasonably determined by the Fire Chief to be necessary to permit access and operation of fire fighting equipment and personnel and the egress of occupants. Fire lanes shall be suitably marked by appropriate markings on the ground or by displaying adequate signs, or both. The markings shall be placed and maintained by the City.

(c) No person shall obstruct a fire lane by parking or leaving standing a motor vehicle, whether such vehicle is attended or unattended, by constructing a fence or other barricade or in any manner whatsoever. A barricade or fence which is readily removable or through which access may be gained by fire fighting equipment and personnel without delay shall not be prohibited by the terms of this section. Any such permitted barricade or fence may not be locked in any manner.

(d) Attended motor vehicles found standing or parked in a fire lane shall be immediately moved

upon direction of any member of the Department of Public Safety. Any unattended motor vehicles found standing or parked in a fire lane may be impounded in a manner consistent with Section 303.08.

(e) Obstructions, other than motor vehicles, found in fire lanes shall be removed by the owner, occupant or other person in charge of the premises within three days after written notice to remove such obstructions. Upon failure to comply with such source, the City may cause the obstruction to be removed and the owner, occupant or other person in charge of the premises shall pay the cost of removal.

(f) Whenever the Fire Chief designates a fire lane, written notice thereof shall be given to the owner, occupant or person in charge of the premises. Such designation may be appealed within ten days by filing a written objection to such designation with the Fire Chief. The appeal shall be heard by the members of Council, a majority of whom may affirm, disaffirm or modify the designation. The decision of Council shall be final.

(Ord. 19-64. Passed 3-24-64.)

351.17 PARKING ON CITY STREETS.

(a) No person having control or charge of a motor vehicle shall allow such motor vehicle to stand or be parked on any street for a period of time in excess of twenty-four hours.

(b) No person having control or charge of a motor vehicle shall allow such motor vehicle to stand or be parked on any street in the City between the hours of 2:00 a.m. and 6:00 a.m. (Ord. 54-13. Passed 11-26-13.)

351.18 NIGHT PARKING OF COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS.

No person shall park a school bus, commercial tractor, agricultural tractor, truck of more than one-half ton capacity, bus, trailer, semitrailer, pole trailer or moving van on any street within the residential districts of the Municipality between one hour after sunset and one hour before sunrise. (Ord. 74-58. Passed 10-28-58.)

351.19 TRUCK PARKING IN RESIDENTIAL AREAS.

No person shall park a commercial tractor, trailer, semi-trailer, pole trailer, tractor trailer, dump truck or any combination of the foregoing within any residential district of the Municipality at any time except for purposes of making deliveries and/or making pickups within such residential districts within the City.

(Ord. 80-88. Passed 11-22-88.)

351.20 PARKING ON BIKE PATHS.

(a) No person shall operate or cause to be operated and/or park or allow to be parked, and/or allow to stand any motor vehicle or any type or kind of motorized vehicle whatsoever on any duly designated bicycle path within the City. It is expressly provided, however, that the following activities shall not be a violation of this section:

(1) To cause a motor vehicle to be on or to cross over a duly designated bicycle path within the City for purposes of:

- A. Allowing any emergency vehicle to pass.
- B. Entering or exiting a driveway or other private or public property by the most direct route possible.
- C. Making necessary repairs to public or private property and/or utilities.
- D. Carrying out the instructions of any duly authorized law enforcement officer.

(b) Any person who violates the provisions or any provision of this section shall be guilty of a minor misdemeanor for a first offense and a misdemeanor of the fourth degree for each offense thereafter.

(Ord. 67-91. Passed 7-23-91.)

351.21 RESIDENTIAL OFF-STREET PARKING OF MOTOR VEHICLES, WATERCRAFT AND/OR RECREATIONAL VEHICLES.

(a) In any area of the City which is zoned residential, or that is used for residential purposes, off-street parking of all motor vehicles, watercraft and/or recreational vehicles shall be limited to and must be upon a driveway, which has been installed and established in accordance with the provisions of the Codified Ordinances of the City.

(b) For purposes of this section, recreational vehicle is defined as and shall have the following meaning: to wit, a recreational vehicle means any vehicle or equipment designed for or primarily used as a travel trailer, camper, motor home, tent trailer, camping trailer, boat, boat trailer, snowmobile or snowmobile trailer or any vehicle or equipment of a similar type or kind.

(c) This section is not intended to nor does it in any way repeal or rescind any other ordinance or resolution of the City presently in effect.

(d) Any owner or occupant of a residentially zoned area of the City may apply in writing to the Mayor for a special event permit to park motor vehicles on surfaces other than a driveway for a temporary special event. Such request shall set forth the nature of the special event, the anticipated number of vehicles and the duration of the event. Each such special event shall require an additional request to the Mayor for a special event permit.

(e) Any individual, corporation or other entity who violates any provision of this section is guilty of a minor misdemeanor on a first offense; is guilty of a fourth degree misdemeanor on a second offense; and on each subsequent offense, is guilty of a misdemeanor of the second degree.

(Ord. 13-20. Passed 3-24-20.)

351.22 PARKING OF MORE THAN TWO UNGARAGED MOTOR VEHICLES AT VACANT DWELLINGS IN A RESIDENTIAL AREA PROHIBITED.

(a) No person shall park, or allow to remain parked, more than two motor vehicles at a dwelling that has been vacant for more than 30 days. However, it shall not be a violation of this section if the parked motor vehicle is fully enclosed within a garage.

(b) Any individual, corporation or other entity that violates any provision of this section is guilty of a minor misdemeanor on a first offense; is guilty of a fourth degree misdemeanor on a second offense; and on each subsequent offense, is guilty of a misdemeanor of the second degree. (Ord. 56-04. Passed 11-9-04.)

351.99 PENALTY AND WAIVER.

(a) Whoever violates Section 351.04(e) or 351.04(f) pertaining to handicapped parking, shall be fined not less than two hundred fifty dollars (\$250.00) nor more than five hundred dollars (\$500.00).

(b) Whoever violates any provision of this chapter, except Section 351.04(e) and 351.04(f) pertaining to handicap parking, is guilty of a minor misdemeanor.

(c) Any person who is cited for a violation of Section 351.16 for parking or leaving standing any unattended motor vehicle, in addition to the impounding provision and charges provided by Section 351.16(d), shall be subject to the penalty and waiver provisions of subsections (b) and (d) hereof. (Ord. 37-00. Passed 5-9-00.)

(d) Any person charged with a violation of a section of Chapter 351, except a violation of Section 351.04(e) or 351.04(f), may pay the sums of fifteen dollars (\$15.00) as a fine provided such fine is paid within twenty-four hours from the time the violation was issued. Such person may pay a fine

of twenty dollars (\$20.00) provided such fine is paid after twenty-four hours but before forty-eight hours. If the ticket is paid more than forty-eight hours after the violation was issued, but before seventy-two hours, the person may pay a fine of thirty-five dollars (\$35.00). Failure to pay fine prescribed herein within seventy-two hours from the time the citation is issued, shall require a court appearance and the violator may be fined a maximum of one hundred fifty dollars (\$150.00) by law for a minor misdemeanor.

(Ord. 14-09. Passed 3-10-09.)

(e) Any person charged with a violation of any provision of this chapter for which payment of a prescribed fine may be made, may pay such sum in the manner prescribed on the issued traffic ticket. Such payment shall be deemed a plea of guilty, waiver of court appearance and acknowledgment of conviction of the alleged offense and may be accepted in full satisfaction of the prescribed penalty for such alleged violation. Payment of the prescribed fine need not be accepted when laws prescribe that a certain number of such offenses shall require court appearance. (Ord. 37-00. Passed 5-9-00.)

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