

**ORDINANCE NO. 2016-16**

**AN ORDINANCE AMENDING TITLE 6, CHAPTER 2 OF THE NORTH SALT LAKE UTAH CITY CODE CLARIFYING THAT THE REGISTERED OWNER OF A VEHICLE CAN BE HELD RESPONSIBLE FOR ALL PARKING VIOLATIONS, REMOVING THE ANGLE PARKING SECTION, AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the City of North Salt Lake is an incorporated city in Davis County Utah; and

WHEREAS, the City Council amended Title 6, Chapter 2 Section 6-2-4, Paragraph F on the 5<sup>th</sup> day of January, 2016 related to winter parking; and

WHEREAS, the City Council has determined that additional amendments to parking regulations of the City Code should be made to extend the change made for winter parking violations to all parking violations; and

WHEREAS, the City Council also determined the angle parking section should be removed, and that "city council" should be replaced with "city safety committee" in Section 6-2-3.

Now therefore be it ordained by the Governing Body of the City of North Salt Lake as follows:

1. Sections 6-2-1, 6-2-3, 6-2-4, and 6-2-6 are hereby amended to read as shown in Exhibit "A."
2. This ordinance shall take effect immediately upon posting as required by Utah Code.

Passed and signed this 6<sup>th</sup> day of September, 2016.

CITY OF NORTH SALT LAKE

By:

  
 Leonard K. Arave, Mayor

Attest:

  
 City Recorder



City Council Vote as Recorded:

<u>Name</u>	<u>Vote</u>
Council Member Hood	<u>y</u>
Council Member Horrocks	<u>y</u>
Council Member Jensen	<u>y</u>
Council Member Mumford	<u>Excused</u>
Council Member Porter	<u>y</u>

### 6-2-1: ~~ANGLE PARKING:~~ OWNER RESPONSIBLE

~~Angle parking shall be permitted upon the streets or parts of streets of the city. The chief law enforcement officer shall mark or sign such streets or parts of streets and also indicate the angle of such parking. (1989 Code § 11-325; amd. 2012 Code)~~

- A. Every person in whose name a vehicle is registered or licensed shall be responsible for the parking of any vehicle in violation of this chapter. It is no defense to a charges that the vehicle was illegally parked by another unless it is shown that at such time the vehicle was being used without the consent of the registered owner
- B. Proof that the named defendant is the registered owner of the illegally parked vehicle shall be prima facie evidence that the registered owner parked the vehicle and/or that the illegally parked vehicle was so parked with the knowledge and consent of the registered owner.

### 6-2-2: PARKING OR BLOCKING STREETS OR HIGHWAYS:

In addition to the parking provisions contained in the state traffic code, as adopted by the city, it shall be a class C misdemeanor, subject to penalty as provided in section [1-4-1](#) of this code, for any person to:

- A. Remain standing, lying or sitting on any street or highway in such a manner as to obstruct the free passage of vehicular or pedestrian traffic thereupon.
- B. Intentionally remain standing, lying or sitting on any street or highway in such manner for more than one minute after being requested to move by any police officer.
- C. Intentionally remain on such street or highway in such manner as to obstruct the free passage of any person or vehicle into or out of any property abutting upon the street or highway or any property having access to such street or highway. (1989 Code § 11-341; amd. 2012 Code)

### 6-2-3: SIGNS:

The ~~city council~~ city safety committee, as constituted by the city manager, may authorize ~~or direct~~ any person employed by the city to erect or install any sign or traffic control device required to enforce the provisions of this chapter. (1989 Code § 11-342)

## 6-2-4: UNLAWFUL PARKING:

- A. **Parking At Curb:** No motor vehicle shall be parked with the left side of the vehicle next to the curb, except on one-way streets. It shall be unlawful to stand or park any motor vehicle in a street other than parallel with the curb and with the two (2) right wheels of the vehicle within twelve inches (12") of the regularly established curb line, except on those streets which have been marked for angle parking; then vehicles shall be parked at the angle to the curb indicated by such marks.
- B. **Vehicles For Sale:** It shall be unlawful to park any vehicle on any street for the purpose of displaying it for sale, or to park any vehicle from which merchandise is peddled on any business street.
- C. **Loading Zone:** When so posted, it shall be unlawful for the driver of a passenger vehicle to stand or park such vehicle for a period of time longer than is permitted by the posted sign for the loading or unloading of passengers, or for the driver to stand or park any freight carrying motor vehicle for a period of time longer than is necessary to load, unload and deliver materials in any place designated as a loading zone and marked as such.
- D. **Parking Prohibited:** It shall be unlawful for any person, except physicians on emergency calls or designated emergency vehicles when properly posted, to park any motor vehicle on any street in violation of the posted restrictions.
- E. **Cab Stands; Bus Stands:** No motor vehicle, other than a licensed taxicab, shall be parked in any area designated by ordinance as a taxicab stand, and no vehicle, other than a bus, shall be parked in a place so designated as a bus loading zone. (Ord. 2011-05, 3-15-2011)
- F. **Parking During Snowplowing Prohibited:** From November 1 to and including April 1 of any year, no person shall park a vehicle, and no registered owner of a vehicle shall allow his or her vehicle to be parked, on any street for a period of time longer than thirty (30) minutes between the hours of eleven o'clock (11:00) P.M. and six o'clock (6:00) A.M. of any day, or during any period of snowfall when snowplows may be operating. ~~Whenever any vehicle is parked in violation of this paragraph, the person in whose name the vehicle is registered shall be strictly liable for the violation and the penalty for that violation.~~ (Ord. 2016-01, 1-5-2016)
- G. **Parking Restrictions On City Property:** No overnight parking or after hours parking shall be allowed on city owned parking lots for any vehicle which is not a city owned vehicle or does not belong to a person or contractor who is employed by the city. (Ord. 2011-05, 3-15-2011)

## 6-2-5: PROHIBITED PARKING FOR RESTRICTED VEHICLES:

- A. No person shall park or allow to remain standing or idling for more than fifteen (15) minutes, any "restricted vehicle", as defined in section [6-1-3](#) of this title, or any vehicle that has ten (10) or more wheels touching the ground, or has a total length, including an attached trailer, or other attached object, exceeding thirty nine feet (39'), upon any street or roadway of the city, except: 1) to load or unload the vehicle expeditiously; or 2) upon restricted vehicle routes and truck routes so designated within the city and in compliance with traffic signs and markings upon said routes; or 3) for city approved construction and maintenance. (Ord. 98-6, 11-17-1998; amd. 2012 Code)
- B. No person shall park, or allow to remain standing or idling for more than fifteen (15) minutes, any "restricted vehicle", as defined in section [6-1-3](#) of this title, or any vehicle that has ten (10) or more wheels touching the ground; or has a total length, including an attached trailer, or other attached object, exceeding thirty nine feet (39'), upon any privately owned property within the corporate city limits of the city, if that property is zoned residential (R1-7, R1-10, R1-12, RM-7, RM-20), P, R or SR.
- C. Subsection B of this section shall not apply to vehicles parked upon privately owned property which has a valid nonconforming or conditional use permit that allows restricted vehicles upon such property. (Ord. 98-6, 11-17-1998)

## 6-2-6: BOATS, TRAILERS, RECREATIONAL VEHICLES, LARGE TRUCKS AND OTHER OBJECTS DEEMED SAFETY HAZARD:

- A. Prohibited Parking: It shall be unlawful for any person to park or allow to stand on any public street or right of way in the city any boat, trailer, camper, recreational vehicle, motor home or truck (except a pickup), for more than twenty four (24) hours without **a parking permit issued** authorization from the police department. (1989 Code § 11-381)
- B. Heavy Trucks Limitation<sup>1</sup>: No person shall, without **a parking permit issued by** authorization from the police department, park or allow to stand on any public street or right of way in the city any truck weighing twelve thousand (12,000) pounds or more, unless the truck is being actively loaded or unloaded. For purposes of this section, a truck shall not be deemed to be actively loaded or unloaded if: 1) nothing is removed from or placed in the truck for a period of time in excess of ten (10) minutes; or 2) the truck is blocking or impairing the flow of traffic. (1989 Code § 11-382)

C. Hazard Created: It shall be unlawful for any person to park any motor vehicle in the public streets or right of way in city which:

1. Creates a hazard;
2. Reasonably impedes the flow of traffic;
3. Impairs the operation of city equipment or vehicles; or
4. Unreasonably prevents or obstructs other drivers of motor vehicles from viewing the road or road right of way. (1989 Code § 11-383; amd. 2012 Code)

D. Removal Of Vehicle: The police department, after making a reasonable effort to notify the owner or driver of a motor vehicle which is in violation of subsection A or C of this section, may remove or cause to be removed, the vehicle or object. (1989 Code § 11-384)

E. Penalty: Any person that violates any provision of this section is guilty of a class B misdemeanor, subject to penalty as provided in section 1-4-1 of this code. Each day that a violation of this section continues or occurs, shall be deemed to be a separate offense and may be punished as such. (1989 Code § 11-385; amd. 2012 Code)

#### **6-2-7: PENALTY**

Unless otherwise provided, a violation of any provision of this chapter shall be a class C misdemeanor, subject to penalty as provided in section 1-4-1 of this code. No criminal conviction shall excuse a person from otherwise complying with the provision of this chapter. (Ord. 98-6, 11-17-1998; amd. 2012 Code)