

ORDINANCE NO. 997

AN ORDINANCE OF THE CITY OF PAYETTE AMENDING SECTION 10-1-5-12 OF THE CITY CODE OF PAYETTE, IDAHO; SETTING AN EFFECTIVE DATE; REPEALER CLAUSE; SEVERABILITY CLAUSE:

BE IT ORDAINED by the Mayor and City Council of the City of Payette, Idaho:

Section A: No vehicle shall be parked within ten (10) feet of any fire hydrant and no vehicle shall be parked in front of the main doors to the Fire Station nor in any street, alley, driveway or through way which impedes or impairs the ability of the fire trucks to make an exit from the Fire Station in an emergency situation.

Section B: Any vehicle, which is parked in any location, which interferes with the ability of any emergency vehicle to respond to an emergency situation shall be subject to being towed away without notice of any kind and without liability for damages to any individual who engages in the towing. That towing will be done at the owners expense.

Section C: No person shall leave any motor vehicle parked or unattended in any alley within the City for more than five (5) minutes. No person shall leave a motor vehicle parked or unattended in any street or alley with the motor running.

Section D: It is unlawful for any person to park any tractor truck or semi trailer on the streets or street right of way. Temporary parking will be allowed but only during such time as the vehicle is being loaded or unloaded and in no event to exceed fifteen (15) minutes. In the event loading is going to exceed fifteen (15) minutes, the driver shall notify the City Clerk or the Chief of Police and will park the vehicle in such a manner as to minimize the impact on the flow of traffic. In the event any Law Enforcement Officer determines that the parked vehicle constitutes a hazard to persons or property, the Officer has the authority to order the driver to remove the truck from that location and refusal to do so shall be a violation of this Ordinance.

Section E: There shall be no parking on Main Street from 2:30 a.m. to 6:00 a.m. Any vehicle parked in violation of this Section will be subject to immediate tow at the owner's expense without the person towing said vehicle incurring any liability of any kind.

Section F: It shall be unlawful for any person to park or leave parked or standing or unattended any automobile, motor driven vehicle, trailer, trailerhouse, boat, recreation vehicle or other type of vehicle in any area which has been designated as a no-parking area.

Section G: No truck or van of more than one ton capacity shall be parked upon any street in the City.

Section H: It is unlawful for any person to hinder, interfere with, delay or obstruct any person engaged in street sweeping or snow removal for the City of Payette. It shall be unlawful for any person to park a motor vehicle of any description, any trailer or boat, recreational vehicle, or leave any other obstruction adjacent to, upon, in or on a right-of-way, in such a manner as to interfere with the street sweeping or snow removal by the City.

Section I: From February 16 to November 14 any vehicle which is parked in violation of any parking restrictions stated herein, after the violation is allowed to exist for a period of twenty-four (24) hours, shall be subject to immediate removal at the owner's expense. This shall not, in any way, change, amend or alter the right of removal as defined in specific paragraphs hereinabove set forth.

Section J: November 15 to February 15 in event that snowfall may, or has, accumulated on the public streets of the City in amounts sufficient to pose a hazard to the health, safety and welfare of the inhabitants of the City, requiring snow plowing and/or removal operations, the Mayor or his agent is hereby authorized to issue a proclamation invoking parking restrictions on all streets within the City limits, as set forth in Section I.

Section K: The parking restrictions shall become effective two (2) hours after being broadcast by the radio and television stations having a general audience within the City, as set forth in Section J. If a vehicle is not moved, a Police Officer will attempt to notify the owner by going to the house adjacent to the parked vehicle and request the vehicle be moved. If the vehicle is not moved within ten (10) minutes, it shall be towed away as set forth in Section E. The parking restrictions shall be in force until set aside by the Mayor or his agent.

Section L: Snow removed from private property by someone other than the property owner, renter or lessee shall be done by a private contractor who is licensed by the City.

Section M: Contractor shall be defined as someone who is paid to remove or plow snow with a motorized piece of equipment.

Section N: Any violation of this Ordinance, in addition to subjecting the vehicle to being towed, shall be a misdemeanor subject to the General Misdemeanor Statutes of the State of Idaho.

Section O: Any portions of any existing Ordinances which are in direct conflict with this Ordinance are hereby repealed insofar as the conflict exists.

Section P: If any portion of this Ordinance is found to be unenforceable or unconstitutional for any reason, the remaining portion of this Ordinance shall remain in full force and effect.

BE IT ORDAINED AND RESOLVED THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS APPROVAL, PASSAGE AND PUBLICATION AS REQUIRED BY LAW.

This Ordinance shall be in full force and effect on the 18<sup>th</sup> day of December 1989.

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Mayor

John P. Franks  
City Clerk