

ORDINANCE 282

AN ORDINANCE TO ESTABLISH SNOW ROUTES DURING TIMES OF SNOW PLOWING AND/OR ICE CONTROL EMERGENCY OPERATIONS BY AMENDING SECTION 10.32.030 OF THE MEDIAPOLIS MUNICIPAL CODE

Section 1. Section 10.32.030 shall be amended to read as follows:

- A. Snow routes established.
 - A. A snow emergency shall be in effect when 1 ½" or more of snow has fallen. The snow emergency ends when both sides of streets have been plowed.
 - B. Once a snow emergency exists, the public must remove vehicles parked on the traveled portion of the roadways within the city limits that have been designated as snow routes. On even numbered days vehicles shall not be parked on the odd numbered side of the street and on odd numbered days vehicles shall not be parked on the even numbered side of the street. Vehicles not removed will be towed and the vehicle shall be released to the owner upon the payment by the owner for the cost of removing and storage.
 - C. Snow routes shall be established on Maple Drive, Green Acres Drive, Lea Darci, Laci Dru, Centennial Drive, Orchard Street between Main and Middle, Lofgren Drive, the 900 to 1300 blocks of Pine Street, the 100 block of South Northfield, and Huron Street. Once a snow emergency exists, on even numbered days vehicles may be parked on the even numbered side of the street and on odd numbered days vehicles may be parked on the odd numbered side of the street.
 - D. Any vehicle parked in the designated portion of the roadway that hinders the safe and efficient removal or control of snow or ice during a snow emergency may be subject to removal.
 - E. Signs declaring the roadway a snow emergency route shall be posted by the City on designated roadways.
 - F. Removal of vehicles.
 - 1. Any member of the Des Moines County Sheriff's Department or the Public Works Foreman or his designee may have a vehicle removed from a location where a parking prohibition is in effect when:
 - (a). The vehicle is parked in any location where a parking prohibition is in effect pursuant to this section;
 - (b). The vehicle is stalled and the owner has not taken immediate action to have the vehicle removed to a place where there is not a parking prohibition in effect;
 - (c). The vehicle is parked in violation of any parking ordinance or provisions of law and is interfering with or about to interfere with snow removal or similar operations.

2. When a member of the sheriff's department or the Public Works Foreman or his designee has a vehicle removed from a location where a parking prohibition is in effect, as authorized in this section, and the individual removing such vehicle or having such vehicle removed knows or is able to ascertain from registration records in the vehicle the name and address of the owner thereof, the Sheriff's Department shall immediately be notified of the necessary facts concerning such removal. If the Owner does not appear within three (3) days and identify and claim the vehicle and pay the cost for removal and storage, such vehicle shall be considered to be an abandoned vehicle and impounded and sales steps may be taken by the tow service in accordance with State law. If the owner does appear within three (3) days and identifies and claims the vehicle, such vehicle shall be returned to the owner when, but not until, the owner pays the cost for removal and storage.
3. Members of the Sheriff's Department, the Public Works Foreman or his designee and the City shall not be liable for damages occasioned by reason of the towing, removal or storage of such vehicle.

G. Citation of Illegally Parked or Left Vehicles.

1. Whenever any vehicle without a driver is parked or stopped in violation of any of the restrictions imposed by this section and is not removed and impounded, a Sheriff's Deputy or any authorized person finding such vehicle may take such vehicle registration number and other information displayed on the vehicle which identifies its driver or owner and shall attach a written summons to such vehicle in a conspicuous place and the owner, operator or lessee of such vehicle may be held to appear at the time and place designated in the summons. The deputy or other authorized person issuing such summons may, if the driver or owner of the illegally parked vehicle is available, deliver a copy of such summons to such driver or owner instead of affixing the summons to the vehicle.
2. The fines for such offenses shall be as follows: \$25.00 for the first occurrence within a twelve month period, \$50.00 for the second occurrence within a twelve month period, and \$75.00 for the third and any subsequent occurrences within a twelve month period.

Section 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. WHEN EFFECTIVE. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Mediapolis, Iowa on this 19th day of January, 2009.

Mayor, Larry Flaherty

ATTEST:

Julia Tribbey, City Clerk

1st reading 11-3-08

2nd reading 11-22-08

3rd reading 1-19-09