

ORDINANCE NO. 2009 - 22

AN ORDINANCE OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE AMENDMENT OF MOSCOW CITY CODE TITLE 11, BY THE ADDITION OF CHAPTER 5 AUTHORIZING SNOW REMOVAL PROCLAMATION BY THE MAYOR TO IMPOSE CERTAIN PARKING RESTRICTIONS INCLUDING REMOVAL OF MOTOR VEHICLES, MOTORCYCLES, AND TRAILERS FROM CERTAIN DESIGNATED SNOW ROUTE STREETS; PROVIDING PARKING INFRACTION PENALTIES FOR VIOLATIONS; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM THE DATE OF ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Council has recently adopted some recommendations from the Snow Removal Task Force (which was created to review snow management in winter seasons); and

WHEREAS, the Council wishes to provide for the orderly and economical removal of snow and ice from certain public streets designated as Snow Route streets in a safe, and more efficient manner; and

WHEREAS, the Council desires by this Ordinance to impose a system designed to reduce or to avoid collisions of snow removal equipment with motor vehicles, motorcycles, trailers, and other property; and

WHEREAS, in the opinion of the Council, such Ordinance should grant authority to the Mayor to issue a Snow Removal Proclamation in the times of snow fall which poses a hazard to the health, safety, and/or welfare of inhabitants of the City; and

WHEREAS, the Mayor may declare or rescind a Snow Removal Proclamation at any time and without consent of the Council; and

WHEREAS, the Council may rescind a Snow Removal Proclamation at any time by a majority vote; and

WHEREAS, after sufficient notice of the issuance of a Snow Removal Proclamation by the Mayor, motor vehicles, motorcycles, and trailers must be removed from certain Snow Route streets or highways in order to allow snow equipment to remove the snow; and

WHEREAS, the Snow Removal Proclamation grants to the City the ability to remove offending motor vehicles, motorcycles, and trailers from the designated Snow Route streets in order to allow for the efficient, systematic, and economical utilization of snow removal equipment during the pendency of the Snow Removal Proclamation period; and

WHEREAS, it is determined that the penalty for failure to remove motor vehicles, motorcycles, and/or trailers from the designated Snow Route streets, as directed by the Snow Removal

Proclamation, shall be a parking infraction and shall carry with it the same penalties as other City parking violations;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MOSCOW, IDAHO, AS FOLLOWS:

SECTION 1: That Moscow City Code Title 11, Chapter 5 be added as follows:

Sec. 5-1. Purpose.

The purposes of this Chapter are to make the removal of snow and ice from certain public streets safe, economical, and more efficient; to reduce or to avoid collisions of snow removal equipment with motor vehicles, motorcycles, trailers, etc.; and to provide an efficient and systematic utilization of snow removal equipment when a Snow Removal Proclamation is in effect.

Sec. 5-2. Definitions.

A. *Motor Vehicle:* Every self-propelled device in, upon or by which any person or property is or may be transported or drawn upon a public street, public right-of-way, or highway, except vehicles or devices used exclusively upon stationary rails or tracks.

B. *Motorcycle:* A motor vehicle having a seat or saddle for the use of the rider and designed to travel on no more than three (3) wheels in contact with the ground.

C. *Trailer:* Every vehicle without motive power designed to carry persons or property and which is drawn by a motor vehicle

Sec. 5-3. Parking Prohibited On Snow Route Streets When Snow Removal Proclamation In Effect.

Parking of any motor vehicle, motorcycle, trailer or other conveyance or object shall be prohibited on the following Snow Route streets within the City when a Snow Removal Proclamation is in effect:

<u>Snow Route Street</u>	<u>From</u>	<u>To</u>
<u>"A" St.</u>	<u>Farm Rd.</u>	<u>Main St.</u>
<u>"D" St.</u>	<u>Main St.</u>	<u>Eisenhower St.</u>
<u>"F" St.</u>	<u>Hayes St.</u>	<u>Orchard Ave.</u>
<u>Farm Rd.</u>	<u>Pullman Rd.(SH 8)</u>	<u>"A" St.</u>
<u>Hayes St.</u>	<u>Sixth St.</u>	<u>"F" St.</u>
<u>Jackson St. (Hwy. 95)</u>	<u>Main St. (North Couplet)</u>	<u>Troy Rd. (South Couplet)</u>
<u>Lauder Ave.</u>	<u>Taylor Ave.</u>	<u>Main St.</u>
<u>Line St.</u>	<u>Pullman Rd.(SH 8)</u>	<u>"A" St.</u>
<u>Main St. (Hwy 95)</u>	<u>North City Limit</u>	<u>"A" St. (North Couplet)</u>
<u>Main St. (Hwy 95)</u>	<u>Troy Rd. (South Couplet)</u>	<u>South City Limit</u>
<u>Mountain View Rd.</u>	<u>Thatuna Ave.</u>	<u>Palouse River Dr.</u>
<u>Orchard Ave.</u>	<u>"F" St.</u>	<u>Highland Dr.</u>
<u>Pullman Rd. (SH 8)</u>	<u>State Line (West City Limit)</u>	<u>Lieuallen St.</u>
<u>Robinson Park Rd.</u>	<u>White Ave.</u>	<u>East City Limit</u>
<u>Sixth St.</u>	<u>Deakin Ave.</u>	<u>Mountain View Rd.</u>

Styner Ave.

Taylor Ave.

Third St.

Troy Rd. (SH 8)

Washington St. (Hwy. 95)

White Ave.

Main St.

Blake Ave.

Lieuallen St.

Jackson St. (South Couplet)

Troy Rd.(South Couplet)

Troy Rd.(SH 8)

Troy Rd.(SH 8)

Lauder Ave.

Hayes St.

Mountain View Rd.

Main St. (North Couplet)

Robinson Park Rd.

A map of Snow Route streets where parking is prohibited when a Snow Removal Proclamation is in effect shall be available for review by the public at the office of the City Clerk and of the Public Works department during regular City business hours.

Sec. 5-4. Snow Removal Proclamation.

A. Proclamation Issuance and Rescission. The Mayor may issue a Snow Removal Proclamation when snow fall has accumulated or is expected to accumulate on public streets and public properties of the City in an amount sufficient to pose a hazard to the health, safety, and/or welfare of the inhabitants and/or property of the City. Such Snow Removal Proclamation shall order the Snow Removal Proclamation parking restrictions in this Chapter be in effect and shall state the specific date and time when such restrictions shall go into effect. The Mayor may rescind a Snow Removal Proclamation at any time with or without the consent of the Council. The Council may rescind a Snow Removal Proclamation at any time by a majority vote.

B. Notice of Proclamation. Parking restrictions in this Chapter shall become effective upon the date and time stated in the Snow Removal Proclamation, provided, that, in no event shall such restrictions become effective before the expiration of not less than twelve (12) hours following the first time when the Snow Removal Proclamation is broadcast at least once by any radio or television station serving a general audience within the City or before eight o'clock (8:00) a.m. of the day following the date on which the Snow Removal Proclamation is first published in the official newspaper of the City, whichever is sooner.

Sec. 5-5. No Effect on Other Parking Restrictions.

This Chapter is intended to alter parking regulations in this Code only to the extent necessary to comply with the contents of this Chapter. Nothing in this Chapter (including issuance of a Snow Removal Proclamation) shall alter parking regulations in the Regulated Downtown Parking Zone adopted by Resolution of the Council

Sec. 5-6. Removal of Vehicles.

Any motor vehicle, motorcycle, or trailer parked upon any public Snow Route street in violation of this Chapter may be removed at any time at the direction of a City peace officer and may also be towed and stored in any public or private storage lot without prior notice to the owner or operator of such motor vehicle, motorcycle, or trailer.

Sec. 5-7. Payment of Towing and/or Storage Fees.

The owner or operator of any motor vehicle, motorcycle, or trailer towed to or stored in a private storage lot pursuant to this Chapter shall be responsible for all reasonable towing and storage charges related to storage of such motor vehicle, motorcycle, or trailer. Charges shall be paid to the private towing company before the motor vehicle, motorcycle, or trailer is released. If the motor vehicle, motorcycle, or trailer is towed to a storage lot owned, controlled, or leased

by the City, the appropriate towing charge shall be paid to the City. If the motor vehicle, motorcycle, or trailer is stored on City property, a reasonable storage fee shall be paid to the City.

Sec. 5-8. Violations; Penalties.

- A. Any person violating any provision of this Chapter shall be guilty of an infraction and, upon conviction thereof, shall be punished pursuant to this Code and the Idaho Code.
- B. The imposition of one penalty for any violation of this Chapter shall not excuse such violation or permit such violation to continue.
- C. Each twenty four (24) hour period or part thereof, following notice of the Snow Removal Proclamation provided in this Chapter, shall constitute a separate offense.

SECTION 2: SEVERABILITY. Provisions of this Ordinance shall be deemed severable and the invalidity of any provision of this Ordinance shall not affect the validity of remaining provisions. The remaining sections of Title 11 shall be in full force and effect.

SECTION 3: EFFECT ON OTHER ORDINANCES. Where the definitions contained in this Ordinance are in conflict with relevant portions of the City of Moscow, Idaho, Municipal Code, the definitions contained within those portions of the Moscow Municipal Code will be unaffected until such time, if any, as they are amended to be consistent with this Ordinance.

SECTION 4: EFFECTIVE DATE. This Ordinance shall be effective upon its passage, approval, and publication according to law.

PASSED by the City Council and APPROVED by the Mayor this 19th day of October, 2009.

Nancy Chaney, Mayor

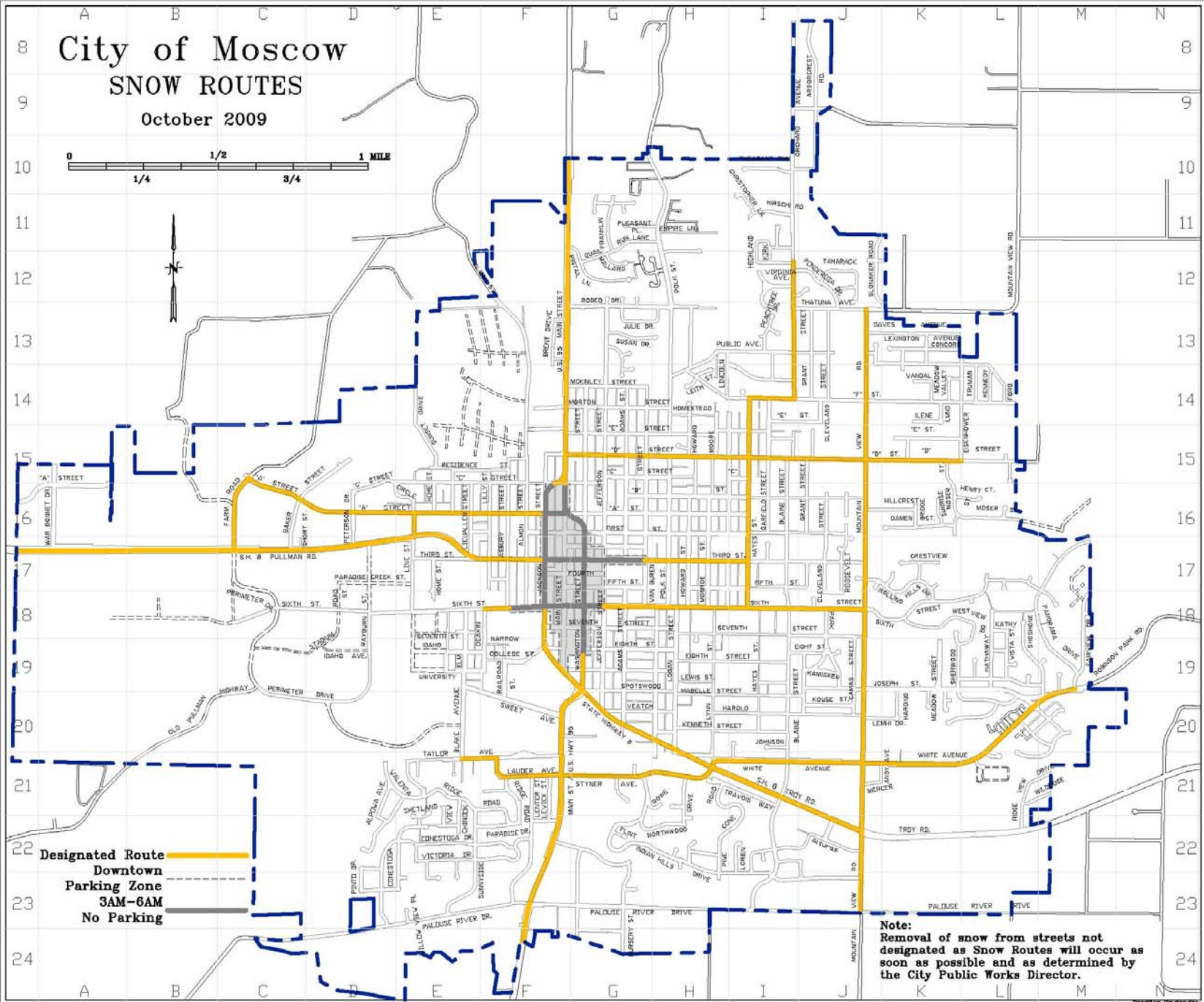
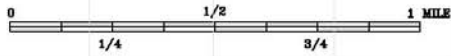
ATTEST:

Stephanie Kalasz, City Clerk

City of Moscow

SNOW ROUTES

October 2009



Designated Route ———
Downtown Parking Zone
3AM-6AM
No Parking ———

Note:
Removal of snow from streets not designated as Snow Routes will occur as soon as possible and as determined by the City Public Works Director.