

ORDINANCE NO. 2017-01

An ordinance amending section L, (parking after snowfall) of Section 70.03 Parking of Chapter 70 City Traffic Code of the City of Gregory ordinances.

BE IT ORDAINED BY THE CITY OF GREGORY that subsection L (parking after snowfall) of section 70.03 (Parking) of Chapter 70 (City Traffic Code) be amended as follows:

(L) Parking after snowfall:

It is hereby declared to be in the best interest of the public policy and public safety of the City to regulate and restrict the parking of vehicles and trailers on public streets during snow emergencies.

- (1) Emergency snow route area defined shall be included in the City's snow removal and sanding policy. The City's snow and sanding policy is to be included as an appendix to the City's ordinance book.
- (2) Parking Restrictions. It shall be unlawful for any person to stop, park or leave unattended any motor vehicle or trailer upon any street immediately after two (2) inches of snow or drifting snow as accumulated and until the snow has been cleared from curb to curb or if no curb is present, until the paved portion of the street has been cleared of snow.
- (3) Penalties. The penalty for a violation of failing to remove a vehicle or trailer shall be a fine of \$50 in addition to any court costs.
- (4) Notice of Removal. If a snow alert is declared, vehicles and trailers must be removed or ticketing will begin once the snow plows have started plowing snow. Any vehicle or trailer that has been ticketed will have to be removed within 24 hours or the vehicle or trailer will be towed to the City's designated area. Whenever a vehicle or trailer is removed from a street, the person authorizing such removal, shall immediately give or cause to be given to the owner of such vehicle or trailer, written notice of the fact of such removal, the reasons thereof and the place to which such vehicle or trailer has been removed.
- (5) Recovery of removed vehicles/trailers. The owner of a removed vehicle or trailer, or his or her authorized agent, may not recover such vehicle or trailer from the place where it has been placed or impounded until he or she presents to a law enforcement officer evidence of his or her identity and right to possession of the vehicle or trailer, signs a receipt for its return, pays the cost of removal, and pays any storage fees. Until paid, charges constitute a lien on the vehicle, which may be enforced in the same manner as a garage keeper's lien in accordance with the provisions of the statutes of the State of South Dakota.
- (6) Record of removals. Law enforcement officers shall keep a record of each vehicle removed pursuant to this ordinance. The record shall include a description of the vehicle, its license number, the date and time of its removal, where it was removed from, its storage location, the name and address of its owner and last operator (if known), its final disposition, and the parking violation involved.

ATTEST:


Finance Officer Al Cerny
First Reading: 1-17-17
Second Reading: 2-6-17
Publication: 2-15-17


Mayor Scott Anshutz