

**ORDINANCE NO. O-2018-2  
PARKING ORDINANCE**

**WHEREAS**, Hooper City includes a variety of streets that are constructed and maintained by the city; and

**WHEREAS**, it is important to ensure that the roadways within the city are safe and usable by the citizens of the city and those visiting the city; and

**WHEREAS**, the City Council would like to promote the safety and health of those traveling the roads in Hooper City and to maintain the quality of the roadways in the city.

**NOW, WHEREFORE**, be it ordained by the Hooper City Council that the following Ordinance be adopted relating to parking requirements in the City of Hooper:  
Sections:

- 9-5-1: Purpose
- 9-5-2: Definitions.
- 9-5-3: Illegally Parked Vehicles Declared Nuisances; Abatement by Impoundment.
- 9-5-4: Vehicle Registration.
- 9-5-5: Stopping or Parking Upon Roadways.
- 9-5-6: Angle Parking.
- 9-5-7: Notice of Impoundment to Owner of Vehicle.
- 9-5-8: Parking Violation and Unauthorized Use of Streets; Strict Liability of Owner.
- 9-5-9: Conditions Precedent to Recovery of Vehicles.
- 9-5-10: Law Enforcement Office to Maintain Records Relative to Impounded Vehicles.
- 9-5-11: Impoundment of Improperly Registered or Stolen Vehicles.
- 9-5-12: Parking Signs Required.
- 9-5-13: Penalties.

**SECTION 9-5-1: PURPOSE:**

This ordinance is designed and enacted for the purpose of promoting the safety and health of those persons using and traveling on Hooper City roads, and for the purpose of protecting the roads themselves within Hooper City.

**SECTION 9-5-2: DEFINITIONS:**

- A. For the purposes of this chapter “Roadway” or “Street” shall be defined as all roads and highways and commonly used means of travel within Hooper City, all roads deemed public roads with is city boundaries. The street area governed by this ordinance shall be curb to curb on streets with curb and gutter, or extend outward eight (8) feet from the paved area of the road on streets without curb and gutter.
- B. “Vehicle” means any device for which purpose is to transport or move any person or property or may be towed upon a roadway or street, whether operable or not. This

includes, but is not limited to, cars, trucks, school buses, shuttle buses, motor coaches, motor homes, motorcycles, trailers, camping trailers, recreational vehicles, all terrain vehicles, boats, construction equipment, farm equipment, etc.

This definition does not include authorized emergency, service, city or utility maintenance vehicles.

### SECTION 9-5-3: ILLEGALLY PARKED VEHICLES DECLARED NUISANCES; ABATEMENT BY IMPOUNDMENT.

- A. The following are hereby declared nuisances, each being a separate violation (this ordinance does not limit prosecution for any other violations of city ordinance or state law):
1. Any unattended vehicle stopped, standing or parked in violation of any of the provisions of this chapter.
  2. Any parked vehicle, left unattended on a street for four (4) hours that has a listed gross weight of 16,000 lbs. or more (i.e. a 10-wheeler or larger).
  3. Any vehicle left unattended on a street for twelve (12) hours, which has a total length of forty (40) feet or more, or width of more than eight (8) feet, or more than fourteen (14) feet in height, including any attached trailer.
  4. Any vehicle stopped, standing, or parked on any city street when snow removal is necessary from November 15<sup>th</sup> to March 15<sup>th</sup> will be issued a warning. If such vehicle remains on the city street for more than twenty four (24) hours notwithstanding the initial warning a citation will be issued and the vehicle removed pursuant to subsection 9-5-3C.
  5. Any vehicle, standing or parked in front of a public or private driveway or its approach whether occupied or not, except momentarily to pick up or discharge a passenger or passengers.
  6. Any vehicle left unattended upon any bridge where such vehicle constitutes an obstruction to traffic.
  7. Any vehicle disabled or left unattended upon a city road or street in such a way so as to constitute a hazard or obstruction to the normal movement of traffic.
  8. Any vehicle left parked in the same place on any street continuously for ~~72~~ forty eight (48) hours.
  9. Any vehicle found so parked as to constitute a hazard or an obstruction to emergency vehicles or equipment.
  10. Any vehicle found to be parked so as to be an obstruction to a Public Works

project.

11. Any vehicle parked or stopped on or otherwise impeding full use of sidewalk area.
12. Any vehicle parked or stopped within an intersection, or within thirty (30) feet of an intersection.
13. Any vehicle parked or stopped within fifteen (15) feet of a fire hydrant.
14. Any vehicle parked or stopped within a crosswalk, or within 20 feet of a crosswalk, except momentarily to pick up or discharge a passenger or passengers.
15. Any vehicle parked within 30 feet upon the approach to or blocking view of any flashing signal, yield sign, regulatory sign, or traffic control signal located at the side of the roadway.
16. Any vehicle standing or parked on any road or street for more than forty eight (48) hours for the purpose of displaying it for sale.
17. Any vehicle parked in violation of Parking Privileges for Persons with Disabilities.
18. Any vehicle that is parked at an angle other than parallel to the curb or edge of pavement unless specifically permitted.

B. Exceptions:

1. It shall be lawful to park a noncommercial vehicle or combination of connected vehicles on a road or a street for the purpose of loading, unloading or being made ready for departure. Such exception shall not exceed twenty four (24) hours and shall not block or impede any traffic.
2. It shall be lawful to park a vehicle on a road or a street for the purpose of emergency repairs. Such exception shall not exceed twelve (12) hours and shall not block or impede any traffic.

C. Any vehicle that is a nuisance, as defined in sub-section A, may be removed under the direction of or at the request of a law enforcement officer and as allowed by state law, to a place of storage or repair by means of towing at the owners expense.

SECTION 9-5-4: VEHICLE REGISTRATION.

A. Every vehicle at all times while being driven, stopped or parked upon the streets of Hooper City shall be:

1. Registered in the name of the owner thereof in accordance with the laws of the State unless the vehicle is not required by the laws of the State of Utah to be registered in this State, and
2. Have current validation or indicia of registration attached to the rear plate and in a manner complying with the laws of the State of Utah, free from defacement, mutilation, grease and other obscuring matters so as to be plainly visible and legible at all times.
3. If the vehicle is not required to be registered in this State, and the indicia of the registration issued by another, state, territory, possession or district of the United States or of a foreign country, substantially complies with the provisions hereof, such registration shall be considered in compliance with this code.

#### SECTION 9-5-5: STOPPING OR PARKING UPON ROADWAYS.

- A. Every vehicle stopped or parked upon a two-way roadway shall be stopped or parked with the right hand wheels parallel to and within 12 inches of the right hand curb or as close as practical to the right edge of the right hand shoulder.
- B. Parking with the left hand wheels near the curb is not allowed.

#### SECTION 9-5-6: ANGLE PARKING

- A. Angle parking shall be allowed on any city roadway as designated by the City Public Works Department.

#### Section 9-5-7: Notice of Impoundment to Owner of Vehicle.

- A. As soon as it is reasonable under the circumstances (unless notice has or will be given by the Utah Motor Vehicles Division), a written notice that the vehicle has been impounded shall be mailed to the owner and recorded lien holder or lease holder, if there is one, of the vehicle at their last known address as shown by the records of the Motor Vehicle Division of the State Tax Commission. If the license plates on the vehicle are from another state, written notice shall be mailed to the department of motor vehicles in that state, requesting the department to notify the registered owner of the vehicle that it has been impounded by the Chief Law Enforcement Officer and that it will be disposed of by the city according to state law.

#### SECTION 9-5-8: PARKING VIOLATION AND UNAUTHORIZED USE OF STREETS; STRICT LIABILITY OF OWNER.

- A. Whenever any vehicle shall have been parked in violation of this title, the person in whose name the vehicle is registered or the driver shall be responsible for any violation and penalty.

SECTION 9-5-9: CONDITIONS PRECEDENT TO RECOVERY OF VEHICLES.

- A. Before the owner or his/her agent shall be permitted to remove a vehicle which has been impounded, the owner or agent shall:
  - 1. Provide the impound lot written documentation authorizing the release of the vehicle to such owner or agent upon the payment to such place of storage or towing company any charges reasonably incurred in the towing and storage of the vehicle from the date of the impounding to the time of presenting the order of release from the police department therefor.
  - 2. Sign a written receipt for the vehicle and deliver the same to the place of storage upon receiving the impounded vehicle.

SECTION 9-5-10: CHIEF LAW ENFORCEMENT OFFICER TO MAINTAIN RECORDS RELATIVE TO IMPOUNDED VEHICLES.

- A. The Chief Law Enforcement Officer shall keep a record of each vehicle impounded, by manufacturer trade name or make, body type, motor and license number, the names and addresses of the registered owner(s) of the vehicle, and other information as may identify the vehicle, the nature and circumstances of the impounding, the violation on account of which the vehicles were impounded, the date of the impoundment and the name and address of any person to whom the vehicle is released.

SECTION 9-5-11: IMPOUNDMENT OF IMPROPERLY REGISTERED OR STOLEN VEHICLES.

- A. The chief law off police department may immediately impound in a proper place of storage, all vehicles found within the city that are improperly registered, stolen or with defaced motor numbers and shall, immediately thereafter, notify in writing, the Motor Vehicle Division of the State Tax Commission, of such impounding, setting forth in the notice the date found, the address where found, the make, registration number, and date, and place where stored and such other information required by state law.

SECTION 9-5-12: PARKING SIGNS REQUIRED.

- A. In areas of the city where parking would normally be allowed but the city determines for good cause that parking should not be allowed, the Public Works Director shall erect or place and maintain appropriate signs or traffic markings giving notice thereof. No violation shall be enforced unless said signs or traffic markings are erected and in place at the time of any alleged violation.

SECTION 9-5-13: PENALTIES.

- A. Any person violating any provisions of this title relating to illegally parked vehicles, or creating a nuisance as set out in Section 3A shall be guilty of an infraction.

**BE IT FURTHER ORDAINED** that this Ordinance shall become effective on the \_\_\_\_\_ day of \_\_\_\_\_ 2018 after appropriate filing and publication.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

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**Korry Green, Mayor**

**ATTEST:**

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**City Recorder**