

## ORDINANCE NO. 2022-04

### AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHUEYVILLE, IOWA, BY ADDING A NEW SECTION TO CHAPTER 69: PARKING REGULATIONS, PROHIBITING STREET PARKING DURING DECLARED SNOW EMERGENCIES

**BE IT ENACTED** by the City Council of the City of Shueyville, Iowa:

**SECTION 1. NEW SECTION.** The Code of Ordinances of the City of Shueyville, Iowa, is amended by adding a new Section 69.12, entitled SNOW EMERGENCY, which is hereby adopted to read as follows:

**69.12 SNOW EMERGENCY.** The purpose of this section is to provide for a system whereby persons are notified of snow emergencies. Without such an ordinance, cars remain parked on certain streets and effective plowing is curtailed. Consequently, parking places are hard to obtain and cars often park too far from the curb, creating a hazard to other motorists.

1. A snow emergency shall automatically go into effect when snow accumulation reaches two inches. At such time as two inches of snow accumulates on City streets, a snow emergency will go into effect and the parking restrictions set forth herein shall be in effect immediately and without further notice. The City may provide additional notice of the snow emergency as it deems appropriate and necessary.
2. In addition to the provision for automatic snow emergency set forth in subsection 1 above, whenever the Mayor determines, on the basis of falling snow, sleet, freezing rain, or on the basis of a credible weather forecast, that weather conditions will make it necessary that motor vehicle traffic be expedited and that parking on City streets be prohibited or restricted for snow plowing or other purposes, the Mayor may declare a snow emergency by notifying the City Clerk.
3. No person shall park, abandon, or leave unattended any vehicle on any public street during an automatic or declared snow emergency.
4. A declared snow emergency shall take effect at a time set by the Mayor but not earlier than two hours after it is declared. The Mayor shall declare a snow emergency by notifying the City Clerk, stating the beginning time and, if known, the ending time for the snow emergency. If the office of the Clerk is closed, the Mayor shall file such notice promptly when the office next is opened during normal business hours. The Mayor may cancel such declaration or change the beginning or ending time. Notice shall be given for such cancellations or changes in the same manner as the original snow emergency declaration. The City Clerk shall ensure that notice of declared snow emergencies is promulgated in a timely manner to the public by all appropriate means, as well as promulgate by the same means the cancellation of any snow emergencies.
5. Enforcement and Towing. Any person who violates the provisions of this section shall be subject to criminal prosecution in accordance with Chapter 70 and to civil enforcement in accordance with Chapter 3. Each 12-hour period that a vehicle is parked or allowed to remain on any street in violation of this section constitutes a separate and distinct offense. Any vehicles found to be parked where not permitted during a snow emergency may be impounded in accordance with the provisions of Section 70.05.
6. Appeal. A violation of this section may be appealed to the City Clerk within thirty (30) days of the date of the violation and prior to a complaint being filed in District Court.

In the event of a timely appeal, the City Clerk shall conduct a summary review and then either determine that the case will be enforced in accordance with the provisions of this section and Chapter 70 or, in the alternative, order administratively that the case be dismissed.

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

**SECTION 3. SEVERABILITY CLAUSE.** 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 from and after its final passage, approval, and publication as provided by law.

First reading of Ordinance 2022-04 introduced and approved on September 13, 2022.

First Motion: Neuhaus                      Second Motion: Frisk

Ayes: Frisk, Lacy, Neuhaus, Stephens

Nays: none

Absent: Foss

Second reading of Ordinance 2022-04 waived on September 13, 2022.

First Motion: Stephens                      Second Motion: Lacy

Ayes: Frisk, Lacy, Neuhaus, Stephens

Nays: none

Absent: Foss

Third reading of Ordinance 2022-04 waived and adopted for final passage on September 13, 2022.

First Motion: Neuhaus                      Second Motion: Frisk

Ayes: Frisk, Lacy, Neuhaus, Stephens

Nays: none

Absent: Foss

Passed and approved by the City Council the 13th day of September 2022.

  
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Mayor

ATTEST:

  
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City Clerk