

**TITLE 9**  
**MOTOR VEHICLE AND BICYCLE REGULATIONS**

CHAPTER:	SUBJECT:
1	Traffic Regulations
2	Traffic Control Signs and Signals
3	Speed Regulations
4	Public Parking
5	Snow Removal Parking Restrictions
6	Parking on Private Property
7	Bicycles

**CHAPTER 1  
TRAFFIC REGULATIONS**

**SECTION:**

- 9-1-1: Applicability of Regulations
- 9-1-2: Applicability of State Laws
- 9-1-3: Enforcement
- 9-1-4: Obedience to Police Officers
- 9-1-5: Construction Crews
- 9-1-6: Following Fire Engines
- 9-1-7: Parking Near Emergency Vehicles
- 9-1-8: Crossing Fire Hose
- 9-1-9: Engine Compression Brakes
- 9-1-10: Prohibition of ATVs, Utility-type Vehicles and Motorbikes on Public Streets:

9-1-1: **APPLICABILITY OF REGULATIONS:** The provisions of this title shall apply to the operation of all vehicles upon the streets, alleys and places within the City.

9-1-2: **APPLICABILITY OF STATE LAWS:** All traffic and motor vehicle laws of the State of Idaho codified in Title 49, Idaho Code, and any rules and regulations promulgated by the Idaho Department of Law Enforcement pursuant thereto, shall apply to the operation of all vehicles upon the streets and alleys of the City, except to the extent such laws or regulations are expressly inconsistent with the provisions of this Code. The City Clerk shall keep at least one (1) copy of this Chapter available for public use and examination in his or her office at all times.

9-1-3: **ENFORCEMENT:** Any person who violates any traffic or motor vehicle law within the City shall be guilty of an infraction and shall be punishable in accordance with the provisions of Title 49, Chapter 15, Idaho Code, as the same now exists or as amended hereafter. All peace officers shall follow the procedures set forth in such Chapter when issuing citations for infractions.

9-1-4: **OBEDIENCE TO POLICE OFFICERS:** Any person who fails or refuses to comply with any lawful order or direction of any police officer of the City, or any other police officer of Bonneville County or the State of Idaho, shall be guilty of a misdemeanor.

9-1-5: **CONSTRUCTION CREWS:** This Chapter shall not apply to the operation of any vehicle while the operator is actually engaged in the construction, repair or maintenance of any street, alley, sidewalk, curb, gutter or any utility located therein, if such operator is an employee of the City or has a permit or is otherwise lawfully authorized to perform such work.

9-1-6: **FOLLOWING FIRE ENGINE:** Any person who operates a vehicle within 500 feet of any fire engine, equipment or vehicle responding to a fire alarm, except persons operating a police, fire or public safety vehicle, shall be guilty of an infraction.

9-1-7: **PARKING NEAR EMERGENCY VEHICLES:** Any person who parks any vehicle within 500 feet of any police, fire or emergency vehicle responding to a fire alarm shall be guilty of an infraction.

9-1-8: **CROSSING FIRE HOSE:** Any person who drives any vehicle over any fire hose of the Fire Department while such hose is being used to suppress any fire, without the consent of a police officer or the fire official in command, shall be guilty of an infraction. (Ord. 3003, 4-23-15)

9-1-9: **ENGINE COMPRESSION BRAKES:** No person shall, while operating a motor vehicle within the City, apply or otherwise use "Jake Brakes", Engine Compression Brakes, or any similar braking system which emits a clearly audible noise when measured at a distance of fifty (50) feet directly from the source. Engine Compression Brakes are defined as a braking system which uses compressed air from a motor vehicle's engine to slow the vehicle. Any person who violates this ordinance shall be guilty of an infraction. (Ord. No. 2407, 02-08-01)

9-1-10: **PROHIBITION OF ATV'S, UTILITY-TYPE VEHICLES AND MOTORBIKES ON PUBLIC STREETS:**

(A) **PURPOSE:** The purpose of this Ordinance is to enhance and protect the public safety, ensure that traffic laws are obeyed and prohibit the riding of all-terrain vehicles, utility-type vehicles, and motorbikes on city streets and highways.

(B) **DEFINITIONS:** For purposes of this Section, the following definitions shall apply:

- (1) **All-Terrain Vehicle:** "All Terrain Vehicle" or "ATV" means any vehicle as defined in Idaho Code §67-7101(1).
- (2) **Utility-Type Vehicle:** "Utility-Type Vehicle", or "UTV" means any vehicle, as originally manufactured, which is defined under Idaho Code §67-7101(15).
- (3) **Motorbike:** "Motorbike" means a vehicle as defined under Idaho Code §67-7101(9). However, a motorbike, which has been converted and approved for unrestricted motorcycle registration pursuant to Idaho Code §49-402, and which has been certified that as compliant with federal motor vehicle safety standards by the Idaho Department of Transportation Department of Motor Vehicles, shall not be subject to the prohibitions set forth in this section.

(C) **AREAS CLOSED TO ATV, UTV, OR MOTORBIKE USE:** No person shall drive or operate an ATV, UTV, or Motorbike on any street, sidewalk, alley, jogging path, park, golf course or other public way located within the City of Idaho Falls.

(D) EXCEPTIONS: Nothing herein shall prohibit the operation of an ATV, UTV, or Motorbike under the following circumstances:

- (1) The use of ATV's or UTV's by the City of Idaho Falls personnel for public property or public facility maintenance.
- (2) The use of ATV's or UTV's for snow removal from driveways, sidewalks or parking lots. Any traveling in prohibited areas must be directly related to such snow removal.
- (3) The use of ATV's or UTV's by the City of Idaho Falls Law Enforcement officers.
- (4) The use of ATV's or UTV's for events or activities, in which the user or owner of the machine has received a permit from the Police Department for use of the machine during that event or activity. The Police Department may place reasonable restrictions on such permits, for safety purposes.

(E) PENALTY: Any violation of this section shall be an infraction. (Ord 2799, 2-12-09)

**CHAPTER 2**  
**TRAFFIC CONTROL SIGNS AND SIGNALS**

SECTION:

- 9-2-1: Adoption of Uniform Manual
- 9-2-2: Display of Unauthorized Signs or Signals
- 9-2-3: Tampering with Traffic Control Devices

9-2-1:           **ADOPTION OF UNIFORM MANUAL:** The City hereby adopts the Manual on Uniform Traffic Control Devices published by the U.S. Department of Transportation, Federal Highway Administration or any other manual adopted by the Idaho Department of Law Enforcement pursuant to the provisions of Idaho Code Section 49-201. All traffic signs, signals and devices installed within the City shall conform to the provisions of such Uniform Manual, except as otherwise expressly ordered by the Council.

9-2-2:           **DISPLAY OF UNAUTHORIZED SIGNS OR SIGNALS:** Any person who places, maintains or displays upon any street, alley, public right of way or private property any unauthorized sign, signal, marking or device which imitates or resembles any official traffic control sign, signal or device is guilty of a misdemeanor. Such signs, signals or devices may be summarily removed by any police or fire or public safety officer or any employee of the Public Works Department. (Ord. 3003, 4-23-15)

9-2-3:           **TAMPERING WITH TRAFFIC CONTROL DEVICES:** Any person who tampers, alters, injures, destroys, removes, defaces or knocks down any official traffic control sign, signal or device, without lawful authority to do so, shall be guilty of a misdemeanor.

**CHAPTER 3  
SPEED REGULATIONS**

**SECTION:**

- 9-3-1: Basic Rule
- 9-3-2: General Speed Limit
- 9-3-3: Establishment of Speed Limits
- 9-3-4: Minimum Speed Regulations

9-3-1: **BASIC RULE:** Any person who operates a vehicle within the limits of the City, at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing shall be guilty of an infraction.

9-3-2: **GENERAL SPEED LIMIT:** Subject to the provisions of the preceding section, any person who drives or operates any vehicle in excess of the speed set forth below shall be guilty of an infraction. Such speeds are as follows:

(A) Any speed established pursuant to Section 9-3-3 of this Code.

(B) Twenty-five (25) miles per hour on all streets except as posted in accordance with Section 9-3-3 of this Code.

(C) Twenty (20) miles per hour in all posted school zones, except where a different speed is posted in accordance with Section 9-3-3 of this Code.

(D) Ten (10) miles per hour in all alleys except as posted in accordance with Section 9-3-3 of this Code. (Ord. 2292, 11-12-98)

9-3-3: **ESTABLISHMENT OF SPEED LIMITS:** Whenever the City Council determines, upon the basis of an engineering and traffic study or investigation that any prima facie speed set forth above is greater or less than is reasonable or safe under the conditions found to exist at any location within the City, the Council may determine and declare by resolution a reasonable and safe prima facie speed limit, which, when proper signs giving notice thereof have been erected, shall be the speed limit for such street or portion thereof.

9-3-4: **MINIMUM SPEED REGULATIONS:** Any person who drives a vehicle at such a slow speed as to impede or block the safe and efficient movement of vehicular traffic, shall be guilty of an infraction.

**CHAPTER 4  
PUBLIC PARKING**

**SECTION:**

- 9-4-1: General Parking Restrictions
- 9-4-2: Parking in Alleys Prohibited
- 9-4-3: Parking in Residential Zones
- 9-4-4: Repair of Vehicles on Public Streets
- 9-4-5: Storage of Vehicles, Motorhomes and Trailers on Public Streets
- 9-4-6: Manner of Parking
- 9-4-7: Unattended Motor Vehicle
- 9-4-8: General Parking Restriction
- 9-4-9: Parking at Airport
- 9-4-10: Parking at City Aquatic Center
- 9-4-11: Impounding Vehicles
- 9-4-12: Impounding Fees
- 9-4-13: Payment of Towing and Storage Fees
- 9-4-14: Establishment of Storage Fees
- 9-4-15: Parking Zones Established
- 9-4-16: Designation of Parking Zones
- 9-4-17: Manner of Parking
- 9-4-18: Operating Time Defined, Exceptions
- 9-4-19: Parking in Loading Zones
- 9-4-20: Unlawful Parking
- 9-4-21: Parking For Persons With Disabilities
- 9-4-22: Designation of Parking Spaces For Persons With Disabilities
- 9-4-23: Enforcement on Private Property
- 9-4-24: Notice of Parking Violations
- 9-4-25: Penalties
- 9-4-26: Additional Remedies Preserved

9-4-1: **GENERAL PARKING RESTRICTIONS:** Any person who parks a vehicle, except when necessary to allow movement of other vehicular traffic or pursuant to the direction of a peace officer or traffic control device, in any of the following designated places, shall be guilty of an infraction, to-wit:

- (A) On a public sidewalk.
- (B) Within any portion of a public or private driveway or entrance to a public street.
- (C) Within an intersection.
- (D) Within fifteen (15) feet of a fire hydrant.

- (E) Within a crosswalk.
- (F) Within twenty (20) feet of a crosswalk located at any intersection.
- (G) Within thirty (30) feet of the approach to any flashing beacon, stop sign or traffic control signal.
- (H) Between a designated safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a traffic regulatory sign indicates a different length is allowed.
- (I) Within fifty (50) feet of the nearest rail of a railroad crossing.
- (J) Within twenty (20) feet of the driveway entrance to any fire station or within seventy-five (75) feet of such entrance when parking on the side of the street opposite such entrance, when regulatory signs indicate such prohibition.
- (K) Beside or opposite any street excavation or obstruction in a manner which obstructs traffic.
- (L) Upon any street or portion thereof in a manner which blocks or interferes with the regular flow of vehicular traffic.
- (M) Upon any bridge or elevated structure upon or part of a public highway.
- (N) At any place where traffic regulatory signs prohibit such parking.
- (O) In any fire apparatus access road as defined in the Uniform Fire Code.

9-4-2: **PARKING IN ALLEYS PROHIBITED:** Any person who parks a motor vehicle in any alley within the City for any purpose other than to load or unload such vehicle in a reasonably expeditious fashion shall be guilty of an infraction. Parking for purposes of loading or unloading a vehicle shall be permitted only if a clearance of at least ten (10) feet in width between the adjacent building or other structures is left on each side of the vehicle.

9-4-3: **PARKING IN RESIDENTIAL ZONES:** Any person who parks a motor vehicle having a gross vehicle weight greater than 10,000 pounds in any residentially-zoned district within the City shall be guilty of an infraction unless such parking is necessary to load or unload such vehicle in an expeditious manner.

9-4-4: **REPAIR OF VEHICLES ON PUBLIC STREETS:** Any person who uses any street or alley within the City for the purpose of repairing any vehicle, except for temporary emergency repairs, shall be guilty of an infraction.

9-4-5: **STORAGE OF VEHICLES, MOTORHOMES AND TRAILERS ON PUBLIC STREETS:**

(A) It shall be unlawful for anyone to use City streets or alleys for storage of motorhomes or trailers. Trailers and motorhomes can only be parked upon a street or alley within the City for the purposes of loading and unloading for a period not to exceed two 24-hour periods in a 7-day time period. Any person who parks or allows a trailer or motorhome to be parked upon any street or alley within the City for a period in excess of this time in the same location shall be guilty of an infraction.

(B) Any person who parks or allows a vehicle to be parked upon any street or alley within the City for a period of 48 or more consecutive hours in the same location shall be guilty of an infraction.

(C) Any vehicle, motorhome or trailer unlawfully parked or stored may be removed by or under the direction of any peace officer and may be impounded in accordance with the provisions of this Chapter.

(D) For the purposes of this section, a vehicle shall be considered to be parked "in the same location" notwithstanding movement of the vehicle to another location on a public street or alley within 500 feet in any direction of the original location of the vehicle. "Motorhome" is hereby defined as set forth in Idaho Code § 49-114(12). "Trailer" is hereby defined as set forth in Idaho Code § 49-121(6). (Ord. 2890, 01-22-12)

9-4-6: MANNER OF PARKING: Except as otherwise provided in this Chapter, any person who parks any vehicle, or allows the parking of any vehicle, in the following manner shall be guilty of an infraction, to-wit:

(A) Where the right-hand wheels of such vehicle are at a distance greater than eighteen inches (18") from the right-hand curb upon any two-way street; or

(B) At a distance of greater than eighteen inches (18") between the left wheels of the vehicle and the left-hand curb where parking is permitted on either side of a one-way street.

(C) At a distance of greater than eighteen inches (18") between the curb, the point on front bumper of such vehicle closest to the curb, where the area is designated for angle parking.

9-4-7: UNATTENDED MOTOR VEHICLE: Any person who owns or has control of any motor vehicle and who leaves the vehicle without first stopping the engine, locking the ignition and removing the key therefrom, or who parks such vehicle upon a grade without turning the front wheels to the curb or side of the street, shall be guilty of an infraction.

9-4-8: GENERAL PARKING RESTRICTION: Any person who parks or allows any vehicle to be parked upon any street in violation of any sign restricting parking within such area, shall be guilty of an infraction. All such parking restrictions shall be established only by

resolution of the City Council, after receiving the recommendation of the Traffic Safety Committee.

9-4-9:           PARKING AT AIRPORT:

(A) Any person who parks or allows a vehicle to be parked at any time of the day or night in the following areas, shall be guilty of an infraction, to-wit:

- (1) International Way.
- (2) That portion of North Skyline Drive located north of International Way.
- (3) That portion of Borah Street located north of International Way.
- (4) That portion of Foote Drive located north of International Way.
- (5) Any ramp, runway, taxiway or area within the Idaho Falls Regional Airport where signs prohibiting such parking have been posted, except as expressly authorized by the Director of Aviation.

Notwithstanding the foregoing, the Council may designate areas within or upon such streets where parking may be allowed, provided signs allowing such parking are prominently displayed.

(B) Any person who parks a motor vehicle unattended for any period of time or any person who parks a motor vehicle for a period of time greater than the minimum amount of time to load or unload passengers and their luggage, within the passenger loading and unloading zone designated by visible signs at the entrance to the Idaho Falls Regional Airport, shall be guilty of an infraction, then the minimum penalty shall be the sum of \$25.00. (Ord. 2432, 10-25-01; Ord 2598, 2-12-09; Ord. 3003, 4-23-15)

9-4-10:           PARKING AT CITY AQUATIC CENTER:

(A) Overflow Parking Lot Established: An overflow parking lot is established for the purpose of parking of vehicles owned or operated by patrons of the City Aquatic Center. The overflow parking lot is located at 640 South Lee, immediately east of the City Aquatic Center located at 149 7th Street, Idaho Falls, Idaho.

(B) Overflow Parking Permitted: Except as otherwise provided in this Chapter, whenever all parking spaces within the public parking lot immediately adjacent to the City Aquatic Center are occupied, patrons of the City Aquatic Center shall be permitted to park vehicles owned or operated by them in the overflow parking lot.

(C) Restrictions on Use of Overflow Parking Lot: It shall be unlawful for any person who is neither a patron of the City Aquatic Center nor an employee of School District No. 91 to park any vehicle in the overflow parking lot at any time. It shall be unlawful for any patron

of the City Aquatic Center to park or to leave parked any vehicle in the east seventy-four feet (74') of the overflow parking lot between the hours of seven o'clock (7:00) a.m. and five o'clock (5:00) p.m. on any Monday, Tuesday, Wednesday, Thursday or Friday.

9-4-11: **IMPOUNDING VEHICLES:** Any peace officer may remove, cause to be removed and impound any vehicle parked in violation of the provisions of this Chapter.

9-4-12: **IMPOUNDING FEES:** The owner of any motor vehicle or trailer that has been impounded by the Police under any provision of this Code or any law of the State of Idaho shall pay to the City an impound fee in the amount of fifteen dollars (\$15) before such vehicle or trailer shall be released.

9-4-13: **PAYMENT OF TOWING AND STORAGE FEES:** : The owner of any motor vehicle or trailer that has been duly impounded, removed from the City streets, towed or stored at the direction of the Police Department shall pay a reasonable towing and storage fee before such vehicle or trailer may be released. The towing and storage fee shall be paid to the person or company effecting the removal and towing and providing the storage for such vehicle or trailer. If the motor vehicle or trailer is towed or stored by City personnel, the towing and storage fees shall be paid to the City. (Ord. 3003, 4-23-15)

9-4-14: **ESTABLISHMENT OF STORAGE FEES:** The City Council shall annually establish by resolution the towing and storage fees provided for in this Chapter.

9-4-15: **PARKING ZONES ESTABLISHED:** The City Council may establish parking and loading zones upon the streets of the City. The establishment of, and all changes in, such zones shall be only as duly ordered by the City Council and entered in the official minutes of its meeting.

9-4-16: **DESIGNATION OF PARKING ZONES:** The Chief of Police shall designate all parking and loading zones established by the Council by causing appropriate parking signs to be installed upon the streets clearly informing the public of the location of the parking and loading zones and the parking time allowed therein. Such zones shall be designated by painting or otherwise marking lines upon the street surface, or upon the adjacent curb, designating the area within such zones are located.

9-4-17: **MANNER OF PARKING:** Any vehicle parked within a parking or loading zone shall be parked entirely within the markings designating one parking space; shall be parked parallel or diagonal to the curb in accordance with the markings of the parking space; and in case of diagonal parking, shall be parked so that the front portion of the vehicle closest to the curb is within eighteen inches (18") of the curb.

9-4-18: **OPERATING TIME DEFINED, EXCEPTIONS:** Operating time" is that time when parking within parking zones and loading zones is regulated and is the time between eight o'clock (8:00) a.m. and six o'clock (6:00) p.m. of every day. "Operating time" shall not include any Saturday or legal holiday.

9-4-19:       **PARKING IN LOADING ZONES:** Notwithstanding the provisions of this Chapter, a person may park a vehicle in a loading zone for the purpose of unloading persons, supplies or merchandise. Parking in a loading zone or space during "operating time" for any other purpose is unlawful.

9-4-20:       **UNLAWFUL PARKING:**

A.       It shall be unlawful for any person to park a vehicle, or, having parked the same, to allow it to remain parked in violation of the regulations of any parking sign located within clear view of a restricted parking area. When the parking sign merely states the duration of time allowed for parking, then the regulation shall be in force only during "operating times." When the sign forbids parking at all times, or at designated times, the regulation is in force at all times, or as stated. Any person who violates this Section shall be guilty of an infraction.

B.       A bona-fide resident of the downtown area, as defined in this subsection, may apply for a permit which shall exempt them from any two (2)-hour parking limit established for parking spaces within the off-street City-owned parking lot located between Shoup Avenue on the east, Park Avenue on the west, Broadway Avenue on the north, and Cliff Street on the south. Nothing herein shall exempt a person holding this permit from compliance with other parking limits or restrictions in this Code. For purposes of this subsection, a bona-fide resident of the downtown area must reside within the area bounded on the west by Memorial Drive and Capitol Avenue, on the south by Cliff Street, on the east by Yellowstone Avenue, and on the north by and including "G" Street at the time of application for the permit and at all times during the validity of the permit. Discontinuance of residency for a period of thirty (30) consecutive days or more shall automatically void the permit. The downtown residents' permit shall be valid for one (1) year from its issuance. The cost of each permit shall be in an amount set from time to time by Resolution of the Council. Only one (1) permit per licensed driver shall be allowed. The permit shall be displayed in the vehicle as to be visible from outside the vehicle, whenever the permittee parks his or her vehicle in a two-hour parking space. It shall be unlawful to transfer or allow another person to use this permit.

(Ord. 2666, 9-14-06; Ord. 2964, 8-14-14; Ord. 3049, 10-12-15)

9-4-21:       **PARKING FOR PERSONS WITH DISABILITIES:** Any person who parks or allows a vehicle to be parked in any parking space designated for use by persons with disabilities and signed in conformity with the next section of this Code is guilty of an infraction, unless the vehicle is momentarily in the space for the purpose of allowing a disabled person to enter or leave the vehicle, or unless special license plates or a temporary card issued for the disable pursuant to Idaho Code §49-410 is displayed on the vehicle. For the purposes of this section, the registered owner of a vehicle who has expressly or impliedly consented to the use of his or her vehicle shall be deemed to have allowed the parking of such vehicle by the person to whom such consent was given. The term "person with a disability" shall have the same meaning ascribed in Idaho Code §49-117(7)(b).

(Ord. 2280, 7-9-98)

9-4-22: DESIGNATION OF PARKING SPACES FOR PERSONS WITH DISABILITIES: For the purposes of the preceding section, a parking space designated for persons with disabilities shall be any parking space or area upon which there is posted immediately adjacent thereto, and visible from each stall or space, a sign which is at least thirty-six inches (36") above the ground, displaying the international symbol of accessibility that shall have the same proportions shown in Idaho Code §49-410. (Ord. 2280, 7-9-98)

9-4-23: ENFORCEMENT ON PRIVATE PROPERTY: The provisions of Sections 9-4-21 and 9-4-22 shall be enforceable with respect to handicapped parking spaces upon public property and private property open to public use.

9-4-24: NOTICE OF PARKING VIOLATIONS:

- (A) A notice of a violation of the parking regulations of this Chapter may be issued by any police officer or by any person duly authorized by the Chief of Police. The notice of violation shall be issued by placing it on the windshield of an illegally parked vehicle, in a secure manner, or in a prominent place upon the vehicle. A separate notice shall be issued for each parking regulation violated. If the violation is overtime parking, a separate notice shall be issued for each hour or fraction of an hour that, the owner or operator of the vehicle allows it to remain parked in violation of this Chapter.
- (B) The notice of violation shall state the date and time when it is issued and the nature of the parking violation observed. The notice shall advise the owner or operator of the vehicle that he or she must admit the violation and pay the penalty or deny the violation and appear before an Idaho Falls Police Department hearing officer within fourteen (14) days of the date the notice is issued, in default of which a summons and criminal complaint may be filed with the Bonneville County Magistrate Court and served upon such person.
- (C) Any person issued a parking notice may enter an admission in the following ways:
  - (1) Depositing the notice of violation with the amount of penalty stated thereon in any collection box designated by the Police Department;
  - (2) Mailing the notice of violation with the amount of the penalty stated thereon to the address indicated on the notice; or
  - (3) Presenting the notice together with the amount of the penalty indicated thereon at the office of the City Treasurer.
- (D) Within fourteen (14) days of the date of issue of the notice of violation of this Chapter, any person issued a parking notice may deny the violation and may request a hearing before a hearing officer with the Idaho Falls Police Department by contacting the hearing officer.
  - (1) The hearing officer shall schedule a hearing within ten (10) working days after being contacted by a person denying a parking violation.

- (2) During a hearing, the hearing officer shall outline the hearing process, state the allegation of the violation, and permit the person denying the parking violation to present statements, photographs, or other evidence.
- (3) Within ten (10) days after the hearing, the hearing officer shall make a determination whether the violation occurred.
  - (a) If the hearing officer determines that the parking violation occurred, the hearing officer shall file a summons and criminal complaint with the Bonneville County Magistrate Court and shall refer the parking violation for prosecution by the City Attorney Division.
  - (b) If the hearing officer finds that the parking violation did not occur, the hearing officer shall dismiss the notice of parking violation. (Ord. 2976, 12-11-14; Ord. 3003, 4-23-15)

9-4-25: PENALTIES:

(A) Any person who violates Section 9-4-20 of the City Code is guilty of an infraction and shall, upon conviction thereof, be punishable as follows: If there have been no other citations given to the recipient within the past thirty (30) days, the penalty shall be in an amount set from time to time by Resolution of the Council. If there has been one (1) other citation received in the past thirty (30) days by the recipient, the penalty shall be in an amount set from time to time by Resolution of the Council. If there has been two (2) or more other citations received by the recipient in the past thirty (30) days, the penalty shall be in an amount set from time to time by Resolution of the Council.

(B) Any person who violates the provisions of Section 9-4-21 of this Code is guilty of an infraction and shall, upon conviction thereof, be punishable by a fine in an amount set from time to time by Resolution of the Council.

(C) Any person who violates any other provision of this Chapter, shall be guilty of an infraction, and shall, upon conviction thereof, be punishable by a fine in an amount set from time to time by Resolution of the Council. (Ord. 2926, 09-12-13; Ord. 2964, 8-14-14; Ord. 2976, 12-11-14)

9-4-26: ADDITIONAL REMEDIES PRESERVED: The issuance of a notice of violation shall not be the exclusive remedy for enforcing the parking regulations of this Chapter and all other lawful remedies are reserved, including prosecution by filing a criminal complaint for an infraction violation.

**CHAPTER 5**  
**SNOW REMOVAL PARKING RESTRICTIONS**

**SECTION:**

- 9-5-1: Purpose
- 9-5-2: Definitions
- 9-5-3: Snow Removal
- 9-5-4: Snow Event Parking Restrictions
- 9-5-5: Other Parking Restrictions
- 9-5-6: Removal of Vehicles
- 9-5-7: Payment of Towing and Storage Fees
- 9-5-8: Penalty

9-5-1: **PURPOSE:** The purposes of this Chapter are to render the removal of snow and ice from the public streets safe and more economical and efficient; to avoid collisions of snow removal equipment with motor vehicles and reduce the possibility of accidents involving pedestrians; and to provide for more efficient and economical utilization of snow removal equipment. (Ord. 3102, 12-8-16)

9-5-2: **DEFINITIONS:** Certain terms used in this Chapter shall have the meanings herein given to them:

**ARTERIAL OR COLLECTOR STREETS:** All Arterial or Collector Streets or portions thereof within the City which are conspicuously signed or designated as “No Parking Any Time.”

**DOWNTOWN AREA:** The area within the City located east of and including Memorial Drive, south of and including "G" Street, west of Yellowstone Avenue, and north of and including Cliff Street.

**EAST-WEST STREET:** Any street running in a direction within ten degrees (10°) of true east and west or within ten degrees (10°) of being perpendicular to that section of the North Yellowstone Highway between West Broadway and “D” Street.

**MOTOR VEHICLE:** Every self-propelled vehicle in, upon or by which any person or property is or may be transported or drawn upon a public street or highway, except vehicles or devices used exclusively upon stationary rails or tracks. “Motor Vehicle” does not include vehicles moved solely by human power, electric personal assistive mobility devices and motorized wheelchairs or other such vehicles that are specifically exempt from titling or registration requirements under Title 49, Idaho Code.

**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.

**NIGHT-TIME SNOW REMOVAL STREETS:** The following public streets and portions thereof within the City:

1st Street: Northgate Mile to Holmes Avenue  
19th Street: South Yellowstone Avenue to Rollandet Avenue  
Elm Street: North Eastern Avenue to South Boulevard  
Milligan Road: Pancheri Drive to the termination of curb and gutter improvements  
Pier View Drive: Snake River Parkway to Milligan Road  
River Parkway: West Broadway Street to the north property line of 575 River Parkway  
Rollandet Avenue: West 21st Street to West 17th Street

**NORTH-SOUTH STREET:** Any street running in a direction of within ten degrees (10°) of true north and south or within ten degrees (10°) of being parallel to that section of the North Yellowstone Highway between West Broadway and “D” Street. For the purposes hereof, Alice Avenue, Cottage Place, Bremer Drive, Rosehill Drive, Eagle Rock Avenue, Temple Place, and Memorial Drive shall be deemed to be north-south streets.

**SNOW AND ICE CONTROL POLICIES AND PROCEDURES MANUAL:** A manual detailing the time, place, management, and manner regarding the systematic safe, economical, and efficient manner of removing snow and ice from public streets as adopted from time to time by Resolution of Council.

**SNOW EVENT:** Any occurrence in which more than two inches (2”) of snow accumulates on the roadway as measured by the Idaho Transportation Department’s 1-15 Idaho Falls Weather Station. The weather station is located near the junction of I-15 and US-20.

**SNOW REMOVAL:** Practices implemented to clear or remove snow and ice from public streets pursuant to the Snow and Ice Control Policies and Procedures Manual.

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

**VEHICLE:** Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

**WINTER SEASON:** From midnight local time on November 14 through midnight local time March 15 of the immediately succeeding year.

**ZONE A:** The area within the City bounded by and including the following streets: Starting at the corner of East Elva Street and North Holmes Avenue; thence running south along Holmes Avenue to East 25th Street; thence running west along East 25th Street to South Boulevard; thence running north along South Boulevard to 21st Street;

thence running west along West 21st Street to Rollandet Avenue; thence running north along Rollandet to West 17th Street; thence running west along West 17th Street and Pancheri Drive to the Snake River; thence running north along the east bank of the Snake River to West Elva Street; thence along east along Elva Street to the point of beginning (excluding the Downtown Area, Nighttime Snow Removal Streets, and any Arterial or Collector street within such area).

ZONE B: The entire area within the City, excluding Arterial or Collector streets, Nighttime Snow Removal Streets, the Downtown Area and Zone A. (Ord. 2912, 10-25-12; Ord. 3102, 12-8-16)

9-5-3:           SNOW REMOVAL: Snow and ice removal from public streets shall occur pursuant to policies established in the City's Snow and Ice Control Policies and Procedures Manual and the parking and other restrictions set forth in this Chapter. The City will inform the general public regarding snow and ice removal on public streets relative to a specific Snow Event through local media outlets, the City website, and social media. (Ord. 3102, 12-8-16)

9-5-4:           SNOW EVENT PARKING RESTRICTIONS: During the Winter Season, no person shall stop, stand, or park a motor vehicle, motorcycle, or trailer on public streets contrary to the following restrictions:

- (1) Arterial and Collector Streets. No parking at any time.
- (2) Night-time Snow Removal Streets. No parking from eight o'clock (8:00) p.m. local time until eight o'clock (8:00) a.m. local time of the immediately succeeding day.
- (3) Downtown Area Streets.
  - (a) North-South Streets. No parking from midnight until eight o'clock (8:00) a.m. on any even calendar day of the month (e.g., two, four, six, eight, ...).
  - (b) East-West Streets. No parking from midnight until eight o'clock (8:00) a.m. on any odd calendar day of the month (e.g. one, three, five, seven, ...).
- (4) Zone A Streets.
  - (a) North-South Streets. Beginning at a Snow Event, no parking from eight o'clock (8:00) a.m. local time until five o'clock (5:00) p.m. local time on any even calendar day of the month (e.g., two, four, six, eight, ...) or until snow removal activities are determined by the Street Superintendent to be completed for the Snow Event.
  - (b) East-West Streets. Beginning at a Snow Event, no parking from eight o'clock (8:00) a.m. local time until five o'clock (5:00) p.m. local time on any odd calendar day of the month (e.g. one, three, five, seven, ...) or until snow removal

activities are determined by the Street Superintendent to be completed for the Snow Event.

(5) Zone B Streets.

Beginning at a Snow Event, no parking from midnight on a Snow Event day and continuing until snow removal activities are determined by the Street Superintendent to be completed for the Snow Event.

(Ord. 2912, 10-25-12; Ord. 3102, 12-8-16)

9-5-5: OTHER PARKING RESTRICTIONS: In the event any other ordinance, statute or regulation provides for parking restrictions which are more restrictive than those set forth herein, then such other parking restrictions shall be controlling and may be enforced in accordance with the terms of such other ordinance, statute or regulation. (Ord. 3102, 12-8-16)

9-5-6: REMOVAL OF VEHICLES: Any motor vehicle, motorcycle, or trailer parked upon any public street in violation of this Chapter may be removed at the direction of a City police officer and may be towed to another public street, provided the towing and parking of the vehicle on such other public street does not violate the provisions of this Chapter or any other provisions of this Code. The vehicle may also be towed and stored in any public or private storage lot, without prior notice to the owner or operator of the vehicle. Nothing herein shall preclude the issuance of a citation for a separate or subsequent violation of this Chapter. (Ord. 2555, 9-23-04; Ord. 3102, 12-8-16)

9-5-7: PAYMENT OF TOWING AND STORAGE FEES: The owner or operator of any motor vehicle, motorcycle or trailer towed to or stored in a private impound lot pursuant to the preceding section shall be responsible for all reasonable towing and storage charges of the owner of the impound lot. Such charges shall be paid to the private towing company before the vehicle, motorcycle or trailer is released. If the vehicle, motorcycle or trailer is towed to an impound lot owned, controlled or leased by the City, the towing charge shall be paid to the City. If the vehicle, motorcycle or trailer is stored on City property, a reasonable storage fee shall be paid to the City. (Ord. 2555, 9-23-04; Ord. 3102, 12-8-16)

9-5-8: PENALTY: Any person who violates this Chapter is guilty of an infraction and upon conviction thereof shall be punished by a fine in an amount as set from time to time by Resolution of the Council. (Ord. 2189, 10-26-95; Ord. 2555, 9-23-04; Ord. 2964, 8-14-14; Ord. 3102, 12-8-16))

**CHAPTER 6**  
**PARKING ON PRIVATE PROPERTY**

SECTION:

9-6-1:           Parking on Private Property

9-6-1:           **PARKING ON PRIVATE PROPERTY:** Any person who parks or leaves unattended any motor vehicle upon any private property posted in accordance with the terms hereof and located within the City, without the consent of the owner or person thereof, is guilty of an infraction. For the purposes of this Chapter, property is posted when one or more signs legibly printed in the English language are placed upon the premises stating that public parking thereon is prohibited, provided at least one such sign is plainly visible from each vehicular entrance to the premises.

## **CHAPTER 7 BICYCLES**

### **SECTION:**

- 9-7-1: Definitions
- 9-7-2: Establishment of Bicycle Paths and Routes
- 9-7-3: Applicability of Vehicle Traffic Laws
- 9-7-4: Operation of Motor Vehicles upon Bicycle Path
- 9-7-5: Right of Way to Cyclists
- 9-7-6: Two-Way Traffic on Bicycle Paths
- 9-7-7: General Speed Regulation
- 9-7-8: Emerging From Alley or Driveway
- 9-7-9: Carrying Articles
- 9-7-10: (Repealed)

9-7-1: **DEFINITIONS:** The following terms whenever used in this Chapter shall have the meaning ascribed below:

**BICYCLE:** Every device propelled by human power having one wheel at least 16 inches in diameter.

**BICYCLE PATH:** A way established, marked and signed specifically for the riding of bicycles, and which is not otherwise part of a public street.

**BICYCLE ROUTE:** A travel way designated specifically for the riding of bicycles along and upon a public street.

**RIGHT-OF-WAY:** The privilege of immediate use of a bicycle path or bicycle route.

**VEHICLE:** Every device, in, upon or by which any person or property is or may be transported or drawn upon a street, highway, alley or other public way, except bicycles.

9-7-2: **ESTABLISHMENT OF BICYCLE PATHS AND ROUTES:** The City Council may by resolution duly passed and approved establish and designate the location of bicycle paths and bicycle routes within the City.

9-7-3: **APPLICABILITY OF VEHICLE TRAFFIC LAWS:** All motor vehicle traffic laws shall apply with respect to the operation of any bicycle upon any bicycle path or bicycle route, except as expressly otherwise provided in this Chapter or except as the context of such ordinance or statute expressly indicates otherwise.

9-7-4: **OPERATION OF MOTOR VEHICLES UPON BICYCLE PATH:** Any person who operates a motor vehicle or parks a vehicle upon or across any bicycle path, except at intersections of a path within a public street or alley or when necessary to enter or leave a driveway, is guilty of an infraction.

9-7-5:           **RIGHT OF WAY TO CYCLISTS:** Any person driving any vehicle into or across any bicycle path which intersects a public street or alley or driveway who fails to yield the right of way to any cyclist operating a bicycle is guilty of an infraction.

9-7-6:           **TWO-WAY TRAFFIC ON BICYCLE PATHS:** Any person who fails to pass to the right of any oncoming cyclist on a bicycle path shall be guilty of an infraction.

9-7-7:           **GENERAL SPEED REGULATION:** Any person who operates a bicycle upon any public street, bicycle route or bicycle path at a speed greater than is reasonable and prudent under the conditions then existing, is guilty of an infraction.

9-7-8:           **EMERGING FROM ALLEY OR DRIVEWAY:** Any person operating a bicycle emerging from an alley, driveway or building shall yield the right of way to all pedestrians walking upon any sidewalk or sidewalk area intersecting with the alley, driveway or building egress and upon entering the public street shall yield the right of way to all vehicles approaching on such public street.

9-7-9:           **CARRYING ARTICLES:** Any person who carries any package, bundle or article which prevents the rider from keeping at least one hand upon the bicycle handlebars shall be guilty of an infraction.

9-7-10:           **(REPEALED) (Ord. 2776, 8-28-08)**