

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING TITLE 9, CHAPTER 5, DEFINING A SNOW EVENT WHICH ACTIVATES PARKING RESTRICTIONS IN CERTAIN AREAS IN THE CITY; REQUIRING THE ADOPTION OF A CITY SNOW AND ICE CONTROL POLICES AND PROCEDURALS MANUAL; ESTABLISHING INFRACTION PENALTIES FOR VIOLATION OF PARKING REGULATIONS RELATED TO SNOW AND ICE REMOVAL; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, snow and ice fall, creation, and accumulation are common events within the City annually; and

WHEREAS, the City desires to remove such snow or ice in a safe, economical, efficient, and predictable manner; and

WHEREAS, removal of such snow and/or ice is complicated, time consuming, and may interrupt with the normal traffic and parking activities; and

WHEREAS, the Council wishes to clarify the manner and timing of such snow and ice removal; and

WHEREAS, the Council has adopted a Snow and Ice Control Policies and Procedures Manual in order to regulate the timing and manner in which snow and ice would be removed from public streets within the City; and

WHEREAS, this Ordinance establishes conditions upon which snow and ice will be removed by City staff at the occurrence of a “Snow Event”, as defined in this Ordinance; and

WHEREAS, this Ordinance establishes rules for prohibiting parking on specific streets (and during certain times) within identified geographical areas in the City (e.g., “Arterial and Collector” streets; “Night-Time Snow Removal” streets; “Downtown Area” streets; “Zone A” streets; and “Zone B” streets) during the “Winter Season”, all as defined in this Ordinance; and

WHEREAS, in order to implement the policies and procedures contained in this Snow and Ice Control Policies and Procedures Manual, the City desires to make the following changes in its snow removal parking restrictions contained within the City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, THAT:

**SECTION 1.** Section 9, Chapter 5, of the City Code of the City of Idaho Falls, Idaho, is hereby amended as follows:

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.

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.

**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.

**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.

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.

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.

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.

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.

**SECTION 2.** Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

**SECTION 3.** Codification Clause. The City Clerk is instructed to immediately forward this Ordinance to the codifier of the official municipal code for proper revision of the Code.

**SECTION 4.** Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

**SECTION 5.** Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this \_\_\_\_\_ day of December, 2016.

CITY OF IDAHO FALLS, IDAHO

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REBECCA L. NOAH CASPER, MAYOR

ATTEST:

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KATHY HAMPTON, CITY CLERK

(SEAL)

STATE OF IDAHO            )  
  ) ss:  
County of Bonneville        )

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO,  
DO HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Ordinance entitled, “AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING TITLE 9, CHAPTER 5, DEFINING A SNOW EVENT WHICH ACTIVATES PARKING RESTRICTIONS IN CERTAIN AREAS IN THE CITY; REQUIRING THE ADOPTION OF A CITY SNOW AND ICE CONTROL POLICES AND PROCEDURALS MANUAL; ESTABLISHING INFRACTION PENALTIES FOR VIOLATION OF PARKING REGULATIONS RELATED TO SNOW AND ICE REMOVAL; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.”

(SEAL)

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KATHY HAMPTON, CITY CLERK