

ORDINANCE 24-02

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the "Hyrum City Municipal Code", a recodification of municipal ordinances encompassing the "Revised Ordinances of Hyrum City" and ordinances adopted through July 15, 1993; and

WHEREAS, Title 10 of the Hyrum City Municipal Code adopts the Uniform Traffic Code and provides for the regulation of traffic, vehicle weight, speed limits, and parking, together with other rules pertaining to vehicles and traffic within Hyrum City; and

WHEREAS, Chapter 10.20 of Title 10 specifies areas of prohibited parking and other parking restrictions and establishes fines therefore; and

WHEREAS, there are significant number of people who own vehicles that use public streets or public property for parking purposes; and

WHEREAS, Section 10.20.090, 10.20.100, and 10.20.105 restricts parking for recreational vehicles, utility trailers, and agricultural equipment on public property for periods not to exceed 48 consecutive hours; and

WHEREAS, the Hyrum City Council has determined that it does not create a safety concern, snow removal problems, or a public utility issue to have vehicles parked on city streets for longer than 48 hours in areas where curb and gutter do not exist.

NOW, THEREFORE, the Hyrum City Council hereby adopts, passes, and publishes the following:

AN ORDINANCE AMENDING SECTIONS 10.20.090, 10.20.100, AND 10.20.105 OF CHAPTER 10.20 OF TITLE 10 OF THE HYRUM CITY MUNICIPAL CODE, TO PROVIDE AN EXCEPTION TO ALLOW PARKING LONGER THAN 48 HOURS ON A CITY STREET WHERE CURB AND GUTTER DO NOT EXIST.

BE IT ORDAINED by the City Council of Hyrum City, Cache County, State of Utah, as follows:

1. Section 10.20.090 of Chapter 10.20 of Title 10 of the Hyrum City Municipal Code is hereby amended as follows:

10.20.090 Parking Restrictions During Winter Months

A. It is unlawful for the driver of any vehicle to park a motor vehicle on any street, or within ten feet of roadway pavement in any municipal right-of-way unless such vehicle is in a driveway approach or otherwise parked behind the curb where curb exists, in this municipality between the first day of November of each year and the first day of April of the following year, for a period of time longer than fifteen minutes when loading or unloading passengers and for a period of time longer than fifteen minutes when loading or unloading or delivering property between the hours of twelve midnight and eight a.m. and when a snow storm is predicted no parking after 11:00 p.m. to 8:00 a.m.. This section shall not apply to emergency vehicles, such as ambulance and fire vehicles, or private vehicles used to convey fire or other emergency response personnel to the scene, or vehicles used in the repair of utilities. (Ord. 22-02; 05-02; Ord. 93-03 § 1 (part): prior code § 11-343.4 (A))

B. Where curb and gutter do not exist, a vehicle/trailer may be parked in the right-of-way during winter months if:

1. There is no obstruction to traffic visibility;
2. The vehicle is not derelict/junk;
3. There is no valid objection from neighbors;
4. Vehicle is 10' or more from pavement from the first of November in one year to the first of April in the next year; and
5. One vehicle allowed for each 100 feet of frontage on property. (Ord 24-02)

2. Section 10.20.100 of Chapter 10.20 of Title 10 of the Hyrum City Municipal Code is hereby amended as follows:

10.20.100 Parking In Excess of Forty-Eight Hours on Public Streets or Property.

A. No person who owns or has possession, custody or control of any vehicle shall park or leave standing any such vehicle on any public road, street, alley or municipal property for forty-eight or more consecutive hours, and any vehicle so parked or left standing may be subject to citation under this chapter or impounded and removed by law enforcement

officials. All persons who own or have possession, custody or control of such vehicles, must provide permanent parking on private property zoned for that purpose. For purposes of impoundment and removal, law enforcement officials may impound and remove any motor vehicle which reasonably appears to have remained unmoved for forty-eight consecutive hours. The cost of impoundment and removal shall be charged to the owner or any person who claims the impounded motor vehicle. (Ord. 22-02; 93-03 § 1 (part): prior code § 11-343.4 (B))

B. Where curb and gutter do not exist, a vehicle/trailer may be parked in the right-of-way in excess of 48 hours on public streets or property:

1. There is no obstruction to traffic visibility;
2. The vehicle is not derelict/junk;
3. There is no valid objection from neighbors;
4. Vehicle is 10' or more from pavement from the first of November in one year to the first of April in the next year; and
5. One vehicle allowed for each 100 feet of frontage on property. (Ord. 24-02)

3. Section 10.20.105 of Chapter 10.20 of Title 10 of the Hyrum City Municipal Code is hereby amended as follows:

10.20.105 Parking Restrictions For Recreational Vehicles, Utility Trailers, And Agricultural Equipment.

A. It is unlawful to park any recreational vehicle, including motor homes, camp and travel trailers, campers, boats, snowmobiles, four-wheelers, or motorcycles, as well as utility, livestock, or construction trailers, or any agriculture-related implement, including tractors, combines, and swathers, on municipal roadsides, rights-of-way, easements, or other public property except for brief periods not to exceed forty-eight (48) consecutive hours. It is unlawful to park vehicles, trailers, or recreational vehicles, with an expired license/registration, on municipal property. All persons who own or have possession, custody or control of such recreational vehicles, campers, and utility trailers, as well as agriculture implements and tractors, must provide permanent parking for such items on private property zoned for the

purpose. Any item named herein so parked or left standing on the roadside or public right-of-way between private property lines on each side of the roadway may be subject to citation under this chapter or impounded and removed by the city. (Ord.22-02)

B. For purposes of impoundment and removal, the city may impound and remove any recreational vehicle, camper, utility trailer, or agricultural tractor or implement which reasonably appears to have remained unmoved for forty-eight consecutive hours. The cost of impoundment and removal shall be charged to the owner or any person who claims the impounded item. (Ord. 07-05)

C. Where curb and gutter do not exist, a vehicle/trailer may be parked in the right-of-way in excess of 48 hours on public streets or property:

1. There is no obstruction to traffic visibility;
2. The vehicle is not derelict/junk;
3. There is no valid objection from neighbors;
4. Vehicle is 10' or more from pavement from the first of November in one year to the first of April in the next year; and
5. One vehicle allowed for each 100 feet of frontage on property. (Ord. 24-02)

4. REPEALER. All ordinances, resolutions, and zoning maps of the city, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

5. DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hyrum City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

6. EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

7. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 1st day of February, 2024.

HYRUM CITY

BY: _____
Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Posted: