

CITY OF MERIDIAN ORDINANCE NO. 23-2032

BY THE CITY COUNCIL:

**BORTON, CAVENER, HOAGLUN,
OVERTON, PERREAULT, STRADER**

AN ORDINANCE AMENDING THE TITLE OF TITLE 7, MERIDIAN CITY CODE TO “TRAFFIC AND PARKING”; AMENDING THE TITLE OF TITLE 7, CHAPTER 1, MERIDIAN CITY CODE TO “TRAFFIC CODE”; AMENDING MERIDIAN CITY CODE SECTION 7-1-2, REGARDING TRAFFIC INFRACTIONS; REPEALING MERIDIAN CITY CODE SECTIONS 7-1-3 (REGARDING REPAIRING VEHICLES IN CITY STREETS), 7-1-4 (REGARDING EMERGENCY VEHICLES; RESTRICTIONS NEAR FIRE) AND 7-1-5 (REGARDING SCHOOL AND CITY PROPERTY); AMENDING MERIDIAN CITY CODE SECTION 7-1-6 (SPEED RESTRICTIONS); REPEALING MERIDIAN CITY CODE SECTION 7-1-7, REGARDING DRIVING THROUGH FUNERAL PROCESSION; AMENDING MERIDIAN CITY CODE SECTION 7-1-8, REGARDING U-TURNS; AMENDING MERIDIAN CITY CODE SECTION 7-1-9, REGARDING ELECTRIC POWER-ASSISTED SCOOTERS; AMENDING MERIDIAN CITY CODE SECTION 7-1-10, REGARDING CENTER TURN LANES; AMENDING MERIDIAN CITY CODE SECTION 7-1-11, REGARDING USE OF PUBLIC OR PRIVATE PROPERTY AS A THROUGHWAY; AMENDING MERIDIAN CITY CODE SECTION 7-1-12, REGARDING NEGLIGENT DRIVING; AMENDING MERIDIAN CITY CODE SECTION 7-1-13, REGARDING AIR COMPRESSION BRAKES; REPEALING AND REPLACING MERIDIAN CITY CODE SECTION 7-2-1, REGARDING DEFINITIONS; AMENDING MERIDIAN CITY CODE SECTION 7-2-2, REGARDING PROHIBITED PARKING; AMENDING MERIDIAN CITY CODE SECTION 7-2-5, REGARDING PARKING ON PUBLIC STREETS OTHER THAN ALLEYS; AMENDING MERIDIAN CITY CODE SECTION 7-2-6, REGARDING PARKING ON PUBLIC PROPERTY OTHER THAN STREETS AND ALLEYS AND PARKING IN CITY PARKS; AMENDING MERIDIAN CITY CODE SECTION 7-2-7, REGARDING PARKING ON CITY PROPERTY WHERE PARKING PERMIT REQUIRED; REPEALING CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Traffic Team of the Meridian Police Department has recommended the following updates to the Meridian City Code provisions regarding motor vehicle traffic, in order to remove provisions that are redundant or conflicting with the rules of the road set forth in Idaho Code;

WHEREAS, the Code Enforcement Division of the Meridian Police Department has recommended the following updates to the provisions of Meridian City Code regarding parking, in order to clarify such provisions and address common obstructions of the roadways and sidewalks within the community; and

WHEREAS, the Meridian Human Resources Department has issued new parking permits to allow employees to park in the employee-only parking lots serving Meridian City Hall, necessitating a code update to address the new permitting and display requirements; and

WHEREAS, the City Council of the City of Meridian find the following updates to Meridian City Code to serve the safety and welfare of the public using roadways and sidewalks within the City of Meridian;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MERIDIAN, ADA COUNTY, IDAHO:

Section 1. That the title of Title 7 Meridian City Code, shall be amended as follows:

Title 7 - ~~MOTOR VEHICLES AND~~ TRAFFIC AND PARKING

Section 2. That the title of Title 7, Chapter 1, Meridian City Code, shall be amended as follows:

~~CHAPTER 1. - TRAFFIC CODE, RULES AND REGULATIONS~~

Section 3. That Meridian City Code section 7-1-2 shall be amended as follows:

~~7-1-2~~ 7-1-1. - Infraction; ~~fine for violation.~~

Any person who violates any provision of this chapter shall be deemed guilty of an infraction.

Section 4. That Meridian City Code sections 7-1-3, 7-1-4, and 7-1-5 shall be repealed.

Section 5. That Meridian City Code section 7-1-6 shall be amended as follows:

~~7-1-6~~ 7-1-2. - Speed restrictions.

No person shall drive a vehicle, except emergency vehicles, at a greater speed than designated as follows.

- A. *Alleys.* In any alley, fifteen (15) miles per hour.
- B. *City streets.* On all other streets in Meridian, twenty-five (25) miles per hour, or as otherwise posted.

Section 6. That Meridian City Code section 7-1-7 shall be repealed.

Section 7. That Meridian City Code section 7-1-8 shall be amended as follows:

~~7-1-8~~ 7-1-3. - U-turns.

A. *Restrictions.*

1. No U-turn or turn reversing the direction of travel shall be made.
 - a. Within a "school zone" as defined by this Code; or
 - b. At any place other than at an intersection, unless there be sufficient space to make such turn without backing or impeding traffic, and of not less than five hundred (500) feet of roadway with a clear and unobstructed view by drivers from either direction, a proper signal is made, and said turn can be performed safely.
 - c. In a manner which impedes traffic.

2. For the purposes of this section, “safely” shall mean that the party making the U-turn or turn reversing the direction of travel shall be responsible to establish that this maneuver can be made with due care to drivers and pedestrians at, adjacent to, or upon the roadway and with due care in regards to the current conditions of the roadway and driving conditions.

Section 8. That Meridian City Code section 7-1-9 shall be amended as follows:

~~7-1-9~~ 7-1-4. - Electric power-assisted scooters.

- A. Persons riding e-scooters, as such term is defined in title 8, chapter 3 of this Code, shall comply in all respects with the following provisions:
 1. On streets which have a speed limit of greater than forty-five (45) miles per hour or more, persons riding e-scooters shall ride only on the adjacent sidewalk, and shall not ride on the street.
 2. On streets which have a speed limit between twenty-five (25) miles per hour and forty-five (45) miles per hour, persons riding e-scooters shall ride in bike lanes where available, or, where bike lanes are not available, riders ~~shall~~ may ride on the adjacent sidewalk.
 3. On streets which have a speed limit of twenty-five (25) miles per hour or less, persons riding e-scooters shall ride on the street, in bike lanes when available.
 4. Persons riding e-scooters shall yield to pedestrians at all times.
 5. Persons riding e-scooters on a sidewalk must maintain a distance of two (2) feet from all pedestrians.
 - ~~5-6.~~ Persons riding e-scooters may not carry any passengers.

Section 9. That Meridian City Code section 7-1-10 shall be repealed.

Section 10. That Meridian City Code section 7-1-11 shall be amended as follows:

~~7-1-11~~ 7-1-5. - Use of public or private property as a throughway.

- A. It shall be unlawful for the operator of any motor vehicle to drive upon or use any public or private real property as a throughway to bypass an intersection controlled by a stop sign or traffic control signal.
- B. It shall be prima facie evidence of a violation of subsection (A) of this section for an operator of a motor vehicle to enter public or private real property from a highway or street and immediately thereafter exit the same property without stopping or slowing before reentering an adjoining highway or street.
- C. It is not a violation of this section to use any public or private street as allowed by law.

Section 11. That Meridian City Code section 7-1-12 shall be amended as follows:

~~7-1-12~~ 7-1-6. - Negligent driving.

It shall be unlawful for any person to operate a motor vehicle where the operator has less than full control of the speed and direction of movement of the vehicle. ~~The collision by a vehicle with any stationary object shall be prima facie evidence of a violation of this section.~~

Section 12. That Meridian City Code section 7-1-13 shall be amended as follows:

~~7-1-13~~ 7-1-7. - Air compression brakes prohibited.

- A. The term “air compression brakes” shall include devices that alter the operation of an engine's exhaust to slow a vehicle or truck.
- B. The use of air compression brakes by vehicles or trucks, as defined in Idaho Code title 49, chapter 1, within the city is hereby prohibited and shall be unlawful, except ~~under emergency circumstances~~ where the use of air compression brakes is necessary to prevent an accident or injury to persons or property.
- C. The following vehicles and trucks are exempted from the prohibitions of this section.
 - 1. Vehicles and trucks operated by a fire department; and
 - 2. Vehicles used for public transit purposes.

Section 13. That Meridian City Code section 7-2-1 shall be repealed, and replaced with language to read as follows:

7-2-1. - Definitions.

As used in this Title, terms used shall be defined as set forth in title 49, chapter 1, Idaho Code or Title 11, Meridian City Code. Where such codes define the same term differently, for purposes of this title, the definition set forth in Idaho Code shall prevail.

Section 14. That Meridian City Code section 7-2-2 shall be amended as follows:

7-2-2. - Prohibited parking.

Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

- A. Stop, stand or park any vehicle or portion thereof:
 - 1. On the ~~roadway~~ traffic side of any vehicle stopped or parked at the edge or curb of a street.
 - 2. On or obstructing any portion of a sidewalk or parkway, including the area between the sidewalk's or parkway's finished ground level to a vertical clearance of seven feet (7') above such sidewalk or parkway.
 - 3. Within an intersection, or any portion thereof.
 - 4. On a crosswalk, or any portion thereof.
 - 5. On a ~~bike lane or bike path, as designated by painted lines~~ designated bicycle lane or on any portion thereof.
 - 6. Within twenty (20) feet of a designated bicycle lane ~~bike path~~ approach.
 - 7. Between a 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 different length is indicated by signs or markings.
 - 8. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.
 - 9. ~~Upon any bridge or other elevated structure upon a highway, or within a highway tunnel.~~
 - 10. 9. On or on any portion of any railroad tracks track or rail.

~~11. 10.~~ At any place where official traffic control devices posted at the direction or under the authority of the city or Ada County Highway District prohibit or limit such stopping, standing or parking. It shall be prohibited for any person to remain stopped, standing or parked past the time limit prescribed on each traffic control device. ~~At the expiration of the posted time limit, a new time limit may begin only upon removal of the vehicle from the block, or five hundred (500) feet from the location in which it was previously parked, whichever is farther, for a minimum of twenty-four (24) hours.~~

11. In a traffic lane or any portion thereof, unless otherwise directed by a peace officer, traffic-control device, or duly authorized personnel.

B. Stand or park a vehicle, except momentarily to pick up or discharge a passenger or passengers:

1. In front of a public or private driveway, or any portion thereof.
2. Within fifteen (15) feet of a fire hydrant.
3. Within twenty (20) feet of a crosswalk or a bike/pedestrian curb ramp, except at an intersection where a traffic control signal is in operation.
4. Within thirty (30) feet upon the approach to any flashing signal, stop sign, yield sign or traffic control signal located at the side of a roadway.
5. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of said entrance when properly signposted.
6. At any place where official traffic control devices posted at the direction or under the authority of the City or Ada County Highway District prohibit such stopping.
7. In any portion of more than one (1) designated parking space.
8. Within ten (10) feet of a mailbox, during the hours of 8:00 a.m. and 5:00 p.m., on any day that is not a federal holiday.

C. Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:

- ~~1. Within~~ within fifty (50) feet of the nearest rail of a railroad crossing.
- ~~2. At any place where official traffic control devices prohibit such parking.~~

D. Park a vehicle in ~~In~~ such a manner or under such conditions as to leave available less than twelve (12) feet of roadway for the free movement of vehicular traffic.

E. Leave ~~such~~ a motorized vehicle unattended without stopping the motor of the vehicle and effectively setting the brakes of the vehicle.

F. Park or leave unattended an e-bike or e-scooter, as such terms are defined in title 8, chapter 3 of this Code:

1. In any vehicular travel lane or bike lane, or any portion thereof;
2. In a manner or location that reduces the width of the useable area of a public sidewalk or pathway to less than five (5) feet;
3. On a block without sidewalks;
4. In a manner or location that impedes ADA accommodations, including, but not limited to, curb ramps, railings, or signal buttons;

5. In a manner or location that impedes a fire hydrant or other public safety infrastructure;
6. In any on-street parking space, or any portion thereof;
7. On private property without a written agreement with the owner of the property; or
8. On or in a driveway, or any portion thereof.

Section 15. That Meridian City Code section 7-2-5 shall be amended as follows:

7-2-5. - Parking on public streets other than alleys.

A. *Parking on public streets.* No person shall park or place, or cause to be parked or placed, upon any public street, regardless of whether attended or unattended:

1. For longer than seventy-two (72) hours:
 - a. Any vehicle having a GVWR of less than twelve thousand (12,000) pounds.
 - b. Any motor home or recreational vehicle. Neither this nor any provision of this chapter shall be construed to authorize any person to sleep in or allow another to sleep in any motor home or recreational vehicle.
 - c. Any utility trailer ~~that is attached to a vehicle~~, whether or not attached to another vehicle. Except that: A utility trailer may be parked on a public street for a purpose incident to an ongoing, lawful construction project, where such construction project is conducted under a valid City of Meridian building permit and such trailer is parked within one hundred (100) feet of such construction project.
- ~~2. For longer than two (2) hours:~~
 - ~~a. Any utility trailer that is not attached to a vehicle.~~
3. For any length of time, except as otherwise allowed in this section.
 - a. Any vehicle, either motorized or nonmotorized, having a GVWR greater than twelve thousand (12,000) pounds, ~~unless such vehicle is a motor home or recreational vehicle, in which case the provisions of subsection (A)1.b. of this section shall apply.~~ Except that:
 - (1) Where such vehicle is a motor home or recreational vehicle, the provisions of subsection (A)(1)(b) of this section shall apply.
 - (2) Such vehicle may be parked on a public street for a purpose incident to an ongoing, lawful construction project, where such construction project is conducted under a valid City of Meridian building permit and such vehicle is parked within one hundred (100) feet of such construction project.
 - (3) Such vehicle may be parked on a public street for the purpose of loading or unloading materials or merchandise, when such materials or merchandise are actively being loaded or unloaded, and where such vehicle is parked within one hundred (100) feet of the loading or unloading point.

- b. Any pole trailer or semitrailer, whether or not attached to another vehicle. Except that:
 - (1) A pole trailer or semitrailer may be parked on a public street for a purpose incident to an ongoing, lawful construction project, where such construction project is conducted under a valid City of Meridian building permit and such trailer is parked within one hundred (100) feet of such construction project.
 - (2) A semitrailer may be parked on a public street for the purpose of loading or unloading materials or merchandise, for up to seventy-two (72) hours, when such materials or merchandise are actively being loaded or unloaded, and where such vehicle is parked within one hundred (100) feet of the loading or unloading point.
- c. Any vehicle designed or used primarily as farm or construction equipment. Except that: Such vehicle may be parked on a public street for a purpose incident to an ongoing, lawful construction project, where such construction project is conducted under a valid City of Meridian building permit and such vehicle is parked within one hundred (100) feet of such construction project.
- d. Any vehicle without license plates.
- e. Any vehicle without current registration.
- f. Any vehicle displaying license plates that are fictitious or assigned to any other vehicle.

~~B. Time limit. At the expiration of the applicable time limit set forth in this section, a new time limit may begin only upon removal of the motor home, recreational vehicle, trailer, or vehicle from the block, or five hundred (500) feet from the location in which it was previously parked, whichever is farther, for a minimum of twenty-four (24) hours.~~

~~C.B. Exceptions.~~ The provisions of this section shall not apply when a vehicle or trailer is parked-;

- ~~1. For the purpose of loading or unloading materials or merchandise, when such materials or merchandise are actually being loaded or unloaded, and where such vehicle or trailer is parked within one hundred (100) feet of the loading or unloading point.~~
- ~~2. For any purpose incident to any ongoing, lawful construction project, where such construction project is conducted under a valid City of Meridian building permit and such trailer or vehicle is parked within one hundred (100) feet of such construction project.~~
- ~~3. For any purpose incident to a lawful commercial or industrial operation, so long as the vehicle is parked within one hundred (100) feet of such commercial or industrial operation.~~
- ~~4. 1.~~ For the purpose of maintenance or response to emergency by a public utility, public entity, public agency, or the duly authorized agent thereof, where such vehicle is visibly marked and identified as such.
- ~~5-2.~~ As specifically allowed by a valid permit duly issued by the City of Meridian or the Ada County Highway District.
- ~~6-3.~~ For purposes of law enforcement activities by a public agency.

Section 16. That Meridian City Code section 7-2-6 shall be amended as follows:

7-2-6. - Parking on public property other than streets and alleys; parking in City parks.

A. Parking on public property.

1. No person shall park or place, or cause to be parked or placed, upon any public property, regardless of whether attended or unattended, for longer than two (2) hours:

~~1-a.~~ Any vehicle, either motorized or nonmotorized, having a GVWR of or greater than twelve thousand (12,000) pounds.

~~2-b.~~ Any motor home or recreational vehicle. Neither this nor any provision of this chapter shall be construed to authorize any person to sleep in or allow another to sleep in any motor home or recreational vehicle.

~~3-c.~~ Any trailer, whether or not attached to a vehicle.

~~4-d.~~ Any vehicle designed or used primarily as farm or construction equipment.

~~B.2.~~ *Time limit.* At the expiration of the two-hour time limit set forth in this section, a new time limit may begin only upon removal of the vehicle, motor home, recreational vehicle, or trailer, ~~or vehicle~~ from the block, or five hundred (500) feet from the location in which it was previously parked, whichever is farther, for a minimum of twenty-four (24) hours.

~~C.3.~~ Exceptions: The provisions of this section shall not apply to a motor home, recreational vehicle, trailer, or vehicle that is parked:

~~1-a.~~ Where expressly and specifically allowed by the public entity owning such property by ordinance, resolution, written policy, or valid, duly issued permit.

~~2-b.~~ For the purpose of maintenance or response to emergency by a public utility, public entity, public agency, or the duly authorized agent thereof, where such vehicle is visibly marked and identified as such.

B. Parking in City parks and pathway facilities.

1. No person shall park any vehicle or trailer in a City park or pathway facility:

a. Anywhere other than an established or designated parking area.

b. In violation of posted directions, state or local law, the instructions of any police officer or duly authorized representative of the Parks and Recreation Department Director, or administrative policy.

c. When the park is closed, except as specifically authorized by order of the Parks and Recreation Department Director.

d. On any sidewalk or pathway except:

2. Exceptions: The provisions of this section shall not apply to:

a. Vehicles operated by law enforcement personnel;

b. Emergency vehicles operated for purposes of transporting humans in need of emergency services;

c. Vehicles operated by the Parks and Recreation Department; or

d. As specifically allowed by written permit or other permission of the Parks and Recreation Department Director.

Section 17. That Meridian City Code section 7-2-7 shall be amended as follows:

7-2-7. - Parking on city property where parking permit required.

Notwithstanding any other provision of this chapter, no person shall park any vehicle on any city property where a ~~temporary or permanent~~ City parking permit is required unless a valid City parking permit duly issued for such vehicle is displayed on the top or bottom corner of the front windshield, on the passenger side of such vehicle, and is visible from the outside of such vehicle. The following exceptions to this section shall apply:

1. City employees may park motorcycles in the marked motorcycle parking area in the southwest corner of the parking lot on the south side of Meridian City Hall, without displaying a City parking permit. City employees parking motorcycles on other City property where a City parking permit is required may comply with this section by displaying a valid City parking permit on such motorcycle in a clearly visible location.
2. A vehicle displaying a valid temporary City parking permit, issued by the Human Resources Department, displayed on the dashboard of such vehicle, and visible from the outside of such vehicle, may park in the parking lot on the east side of Meridian City Hall.
3. City-owned vehicles may be parked on City property without displaying a City parking permit.

Section 18. That all City of Meridian ordinances, or parts thereof, that are in conflict with this ordinance are hereby repealed.

Section 19. That this ordinance shall be effective immediately upon its passage and publication.

PASSED by the City Council of the City of Meridian, Idaho, this 22nd day of August, 2023.

APPROVED by the Mayor of the City of Meridian, Idaho, this 22nd day of August, 2023.

APPROVED:

ATTEST:

Robert E. Simison, Mayor

Chris Johnson, City Clerk

CERTIFICATION OF SUMMARY:

William L.M. Nary, City Attorney of the City of Meridian, Idaho, hereby certifies that the summary below is true and complete and upon its publication will provide adequate notice to the public.

William L. M. Nary, City Attorney

SUMMARY OF CITY OF MERIDIAN ORDINANCE NO. 23 -2032

An ordinance amending the title of Title 7, Meridian City Code to “Traffic and Parking”; amending the title of Title 7, Chapter 1, Meridian City Code to “Traffic Code”; amending Meridian City Code section 7-1-2, regarding traffic infractions; repealing Meridian City Code sections 7-1-3 (regarding repairing vehicles in city streets), 7-1-4 (regarding emergency vehicles; restrictions near fire) and 7-1-5 (regarding school and city property); amending Meridian City Code section 7-1-6 (Speed restrictions); repealing Meridian City Code section 7-1-7, regarding driving through funeral procession; amending Meridian City Code section 7-1-8, regarding U-turns; amending Meridian City Code section 7-1-9, regarding electric power-assisted scooters; amending Meridian City Code section 7-1-10, regarding center turn lanes; amending Meridian City Code section 7-1-11, regarding use of public or private property as a throughway; amending Meridian City Code section 7-1-12, regarding negligent driving; amending Meridian City Code section 7-1-13, regarding air compression brakes; repealing and replacing Meridian City Code section 7-2-1, regarding definitions; amending Meridian City Code section 7-2-2, regarding prohibited parking; amending Meridian City Code section 7-2-5, regarding parking on public streets other than alleys; amending Meridian City Code section 7-2-6, regarding Parking on public property other than streets and alleys and parking in City parks; 7-2-7, regarding parking on City property where parking permit required; repealing conflicting ordinances; and providing an effective date. The full text of this ordinance is available at Meridian City Hall, City Clerk’s Office, 33 E. Broadway Avenue, Meridian, Idaho.