

ORDINANCE 09-2005

AN ORDINANCE ESTABLISHING CERTAIN CONDITIONS AND RESTRICTIONS ON PARKING AND PROVIDING FOR FINES AND PENALTIES FOR VIOLATION IN THE CITY LIMITS OF THE CITY OF GRAND RIVERS KENTUCKY.

WHEREAS: The City of Grand Rivers, Kentucky has and will continue to experience growth in its residential and business community.

WHEREAS: The City of Grand Rivers recognizes that certain conditions exist that if left unrestricted could cause traffic flow problems and congestion, have a negative effect on the smooth flow of traffic and create distractions to the public that could develop into traffic and pedestrian safety hazards.

WHEREAS: The City of Grand Rivers wishes to implement an ordinance defining the conditions and restrictions involving the proper parking within the City and provide penalties for violation of same.

Section 1. Obstructional Parking

- a. It shall be unlawful for the operator of any vehicle to park or leave such vehicle or other thing that constitutes a nuisance, obstruction or hindrance in or upon any public street, alley, sidewalk, pedestrian walkway or parking facility at any time.
- b. It shall be unlawful for the operator of any vehicle to stop or park such vehicle upon the roadway side of any other vehicle stopped or parked at the curb of any street in such manner as to cause it to be Double Parked.
It shall be unlawful for the operator of any vehicle to stop or park such vehicle (except in the case of a real emergency or when directed by police officer, traffic sign or signal) in any of the following places:
 1. On the main traveled portion of any street or other roadway;
 2. On any sidewalk or pedestrian walkway;
 3. In front of any driveway, entrance way, stairway, sidewalk or other pedestrian walkway designed for either private or public access;
 4. Within any intersection or pedestrian crosswalk;
 5. At any place where official signs of solid yellow lines prohibit stopping and/or parking;
 6. At any place which would inhibit access to a fire hydrant;
 7. In any parking space restricted to Handicap Parking unless the operator of the vehicle or passenger therein has a valid handicap-parking permit. The violation of this provision regarding handicap parking will result in the immediate towing or booting of the vehicle and a mandatory \$250 fine.
- d. The provisions of this section prohibiting the stopping and parking of vehicles shall apply at all times except when it is necessary to stop a vehicle to avoid conflict with other traffic or to comply with the directions of a police officer or other public official.

Section 2: Parking Restrictions and Prohibitions:

- a. The City shall determine on what streets or portions thereof stopping or parking shall be restricted or prohibited. Whenever any parking restriction or prohibition is imposed, appropriate signs shall be erected giving notice thereof, or, alternatively, a designated handicap area may be painted with a handicap parking sign or an area where parking is prohibited may have the face and top of the curb adjacent thereto painted solid yellow in color.
- b. The City may establish diagonal parking at certain places and require the parking of vehicles at an angle to the curb or street and within a certain portion of the roadway adjacent thereto. However, diagonal parking shall not be established where the roadway space required would be within ten (10) feet of the centerline of the roadway. Such diagonal parking spaces shall be designed by suitable signs or indicated by markings on the pavement. Operators of vehicles parked in such areas shall park within the lines marking the front, sides and rear of the parking spaces and failure to do so shall constitute a parking violation as defined in this ordinance. Parking restrictions and/or prohibitions shall not be effective until appropriate signs or painting of the restricted areas as required herein have been completed.

**Section 3. Parking in Excess of Certain Number of Hours Prohibited:
Abandoned Vehicles to be Towed**

It shall be unlawful for any person to park any vehicle on any public street, roadway or in any public parking area of the city for a period of twenty-four (24) hours or longer. Any vehicle so parked shall be deemed abandoned and shall be subject to immediate towing at the expense of the owner.

Section 4. Parking in Privately Owned Off Street Facilities:

- a. It shall be unlawful for the operator of any vehicle to park or abandon any vehicle or otherwise trespass in another's private property or parking area without the consent of the owner, lessee or other person in charge of such property of facility.
- b. If at any time a vehicle is parked abandoned or otherwise allowed to trespass in violation of paragraph (a) above, the owner, lessee of other person in charge of such property or facility may have the unauthorized vehicle towed from the property at the vehicle owner's expense.
- c. The provisions of this Section 4 shall not be effective until and unless the owner, lessee or other person in charge of the private property or parking facility shall have first posted signs on the property stating that the property or facility is privately owned and that unauthorized vehicles will be towed at the vehicle owner's expense.

Section 5. Parking on Parade Route:

Notwithstanding any other provisions of this Parking Ordinance, the Mayor of the City may prohibit or restrict parking of vehicles along streets and roadways where parades or other processions are planned and may cause to be erected temporary signs and barricades along the parade route for the safety of the public. It shall be unlawful to stop or park a vehicle in any designated parade route.

Section 6. Parking of Vehicle for Display, Exhibit or Protest Prohibited:

It shall be unlawful for any person to park a vehicle on any public street, roadway or parking area for the purpose of offering for sale, demonstration or promotional signing. Any vehicle so parked shall be deemed abandoned and shall be subject to immediate towing at the vehicle owner's expense.

Section 7. Impoundment of Vehicles: Redemption; Sale of Vehicles to Recover Fees and Charges.

- a. All police officers and designated city officials are empowered to authorize the impoundment of a vehicle violating the provisions of this ordinance.
- b. Impounded vehicles shall be tagged and placed under the control of the designated city department. Should an impounded vehicle be moved without the approval of the proper city official a warrant shall be issued immediately for the violator's arrest.
- c. When a vehicle is impounded pursuant to the order of a proper city official or private property owner or manager, such city official or other person shall attempt to ascertain from the Kentucky Transportation Cabinet to identify of the registered owner or lessee of the vehicle and shall, within ten (10) days following the impoundment, notify the owner or lessee by certified mail of location of the vehicle and the requirements for securing the release of the vehicle from the impoundment. Such notice shall identify the vehicle by the name of the registered owner or lessee and the vehicle's make, color, license number and vehicle identification number (VIN).
- d. All fines, fees, towage, storage and other charges must be paid in full before an impounded vehicle shall be released.
- e. Any and all persons or businesses engaged in the business of towing and/or storing vehicles shall have a lien on the property impounded vehicle for the reasonable or agreed charges for towing and /or storing the vehicle as long as the vehicle remains in their or its possession. If after a period of forty-five (45) days the vehicle has not been redeemed fro storage and all fees and charges paid, the registered owner or lessee shall be given a ten (10) day notice by certified mail of the intended sale of the vehicle and the vehicle may be sold to pay such fees and charges. Should the proceeds of the sale of the vehicle be insufficient to pay all accrued fees and charges, the registered owner or lessee of the vehicle shall continue to be responsible for the payment of any remaining fees and/or charges.

Section 8: Parking Tickets:

- a. The City Council shall create a form of municipal parking ticket which shall contain the following information:
1. The state motor vehicle number
 2. The time of the Parking Violation
 3. A clear description of the violation and the location of the vehicle
 4. The name of the city official issuing the parking ticket.
- b. A parking ticket shall be completed by the issuing city official and copy thereof placed on the windshield of any vehicle parked in violation of this ordinance.
- c. The owner or operator of the vehicle receiving a parking ticket shall have thirty (30) days within which to pay the parking fine to the City of Grand Rivers after which a warrant may be issued by the Livingston County District Court against the registered owner of the vehicle for collection of all applicable fines and other charges including court costs.
- d. The penalty for parking illegally in a handicap parking area shall be two hundred fifty dollars (\$250.00). The penalty for all other parking violations shall be fifteen dollars (\$15.00) for each twelve (12) hour period of the violation.
- e. After conviction for violation of this ordinance in the County District Court, parking fines for subsequent violations of this ordinance shall be double in amount and each violation shall be a separate offense.

Section 9:

Any and all existing ordinances in conflict with this ordinance are hereby repealed.

Section 10:

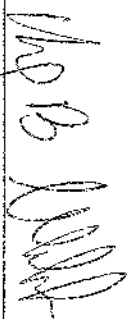
This ordinance shall take effect upon publication.

Publicly Read First Time: September 13, 2005

Publicly Read Second Time: November 8, 2005

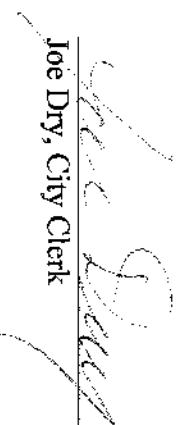
Published: Livingston Ledger on: November 24, 2005

Referenced: Minutes Book 1, Page _____



Max Webb, Mayor

ATTEST:

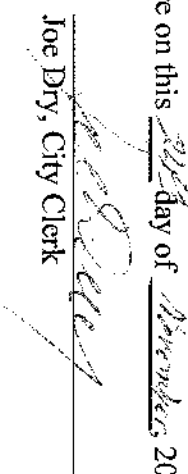


Joe Dry, City Clerk

Certification

I, Joe Dry, do hereby certify that I am the duly appointed clerk of the City of Grand Rivers, Kentucky, that the foregoing Ordinance is a true and correct copy of an ordinance duly adopted at a meeting of the City Council on September 14th, 2005, that the Ordinance referred to therein is in the form presented to said meeting and in the form executed, and the said ordinance appears as a matter of public record in the Official City Ordinance Book and is still in full force and effect.

IN TESTIMONY WHEREOF, witness my signature on this 14th day of November, 2005.



Joe Dry, City Clerk