

**City of Grant  
Ordinance No. 58  
Parking Ordinance**

**THE CITY OF GRANT ORDAINS:**

**Section I. Establishment**

The City establishes a Parking Violations Bureau consisting of the City Manager, Chief of Police and such other City employees as the City Manager shall designate.

**Section II. Authority to accept admissions of responsibility, assess fines and costs and collect moneys.**

The Parking Violations Bureau is authorized and empowered to accept admission of responsibility from persons charged with violation of any ordinance or regulation of the City which pertains to the parking of any vehicle, and is further authorized and empowered to assess and collect fines and costs for such violations.

**Section III. Parking violations as civil infractions; civil fine, costs.**

- a) The violation of any ordinance or regulation concerning the parking of a vehicle shall constitute a civil infraction.
- b) Unless a different penalty is prescribed, a fine for a parking violation shall be adopted by resolution of the City Commission from time to time and kept in the City Clerk's office.
- c) If a vehicle is unattended and the registered owner of the vehicle has four (4) or more unpaid and outstanding civil infraction violations all of which have been issued for a violation of this ordinance, any Police Officer, City Manager or other authorized City employee may cause that vehicle to be immediately impounded. There shall be no impoundment under this section from any private property.
- d) If a vehicle is unattended and the registered owner of the vehicle has four (4) or more unpaid and outstanding civil infraction citations all of which have been issued for a violation of this ordinance, any Police Officer, City Manager or other authorized City employee may, in lieu of impoundment of the vehicle as otherwise provided, attach or cause to be attached to said vehicle an immobilizing device which will prevent the vehicle from being moved or driven.
  1. If the registered owner of the vehicle has not made arrangements to have the vehicle released from immobilization after seventy-two (72) hours the vehicle shall be removed by impoundment.
  2. If an immobilization device is attached, there shall also be attached securely to the vehicle a notice which states:

"CAUTION! THIS VEHICLE HAS BEEN MADE IMMOBILE BY A WHEEL-LOCKING DEVICE.  
SERIOUS DAMAGE TO THE VEHICLE WILL RESULT IF YOU ATTEMPT TO MOVE THE  
VEHICLE. RELEASE CAN BE OBTAINED BY:

1. Paying the outstanding civil fine together with the fee established to cover the costs of attachment and removal of the locking device, or

2. Posting a bond to cover the above costs and requesting a hearing.

"PAYMENT MUST BE MADE TO THE CITY TREASURER DURING REGULAR BUSINESS HOURS. ARRANGEMENTS MUST BE MADE WITHIN SEVENTY-TWO (72) HOURS AFTER INSTALLATION OF THE DEVICE OR THE VEHICLE WILL BE REMOVED BY IMPOUNDMENT"

- e) A vehicle impounded or immobilized under this article shall be released by paying the total amount due on all outstanding civil fines and by paying the fees then being charged for towing and storage of the vehicle and the fee charged for the attachment and removal of the immobilization device; or by the posting of a bond to cover all of the costs assessed against the vehicle and requesting a hearing. All payments under this section shall be made to the City treasurer during regular business hours.

**Section IV. Overnight parking on streets from November 15 to April 15.**

- a) No motor vehicle shall be parked on any street within the City between the hours of 2:00 a.m. and 6:00 a.m. between November 15 of any year and April 15 of the following year. Where public street boundaries are not defined by curbing, it shall be deemed unlawful to park any vehicle during the time stated in this subsection within a distance of 20 feet from the center of the useable roadway, except as otherwise permitted in Section X, parking in parkway.
- b) A violation of this section shall be a civil infraction.

**Section V. Evidence of parking by owner of vehicle.**

The fact that any vehicle or trailer is parked in any lot to which this Ordinance pertains shall be deemed prima facie evidence that the vehicle was parked by the registered owner of the vehicle.

**Section VI. Authority to designate location of signs and markings.**

The City Manager or other person appointed by the City Commission shall designate the location of signs and other markings stating the limitations and restrictions applicable to parking in public parking lots.

**Section VII. Parking contrary to restrictions.**

No parking shall be contrary to the restrictions stated on any sign duly erected or upon or across any visible line or marking upon the surface of any public lot pursuant to the authority of the City for the purposes of controlling traffic or designating parking spaces.

**Section VIII. Manner of Parking.**

No vehicle shall be parked or otherwise located in a public parking lot in any portion or space designated by sign or other marking other than parallel to the direction of traffic in a manner that results in a portion of the vehicle other than the front end to be facing directly away from the approach to the space.

**Section IX. Time Limits.**

The City Commission may from time to time by resolution provide for limits on the time in which any vehicle or trailer may be parked in any public parking lot, upon the erection of signs specifying such limits. Parking contrary to such limits shall be deemed a violation.

**Section X. Parking in Parkway.**

- a) For purposes of this section only, "parkway" means the portion of the City's public right-of-way outside of the paved portion of the adjoining public street and, where a public sidewalk is present, no farther than the outer edge of that sidewalk closest to the street.
- b) It shall be unlawful for any person who owns, leases or operates a motor vehicle or trailer whether licensed or not, to park or stand such motor vehicle or trailer in the parkway except under the following circumstances:
  - 1. The owner of a one- or two-family dwelling may apply to the City for a permit to park in the parkway area located adjacent to their property, if the property owner does not have the ability to create a necessary number of parking spaces based on topography, property size or unusual site restrictions;
  - 2. A permanent, continuous, and uninterrupted hardened surface such as, but not limited to, asphalt, concrete, or gravel must be used and properly maintained for any designated parking space. This means there can be no ruts or vegetation coming through the surface. It is also the responsibility of the property owner to improve the parkway area in the event that the City must make repairs to utilities or other items that cause damage to the existing, approved surface;
  - 3. The approved parking space shall not exceed a length of forty (40) feet and width of the lesser amount of nine (9) feet or the edge of the public sidewalk;
  - 4. Vehicles in the proposed parking areas in the parkway must be parallel parked to the street not encroach into a public sidewalk, or paved portion of the street, prevent access to a fire hydrant or interfere with snow plowing operations or other maintenance;
  - 5. The vehicles occupying the parking spaces must be licensed, registered, insured and operable;
  - 6. The permit shall not expire, however, it may not be transferred to anyone other than the original permit holder.
- c) An application for a permit must be submitted to the City Manager for review and approval to ensure that the above conditions are met. If the criteria are not met, the application will be denied and the reasons for the denial given. Appeals to a denial may be made to the City Commission within 30 days of the denial, stating the basis, in writing, of the appeal. In reviewing the decision of the City Manager, the City Commission shall base its decision on whether the above criteria have been met based upon the record before the City. This would include the above criteria related to the unique character of the property or feasible alternatives to the request.
  - 1. A sketch plan must be submitted with the permit application identifying the particular area within the parkway designated for a parking spaces(s) and, if approved, all parking and any associated improvements must be and remain in compliance with said plan and any conditions of approval.

**Section XI: Special Events that impair use of streets, public ways**

- a) When parking near short-term private events, including but not limited to birthday parties, anniversary parties, housewarmings, or ice cream socials as well as estate, yard or garage sales parking in the parkway shall be allowed regardless of permit for the duration of the event.
  
- b) No person shall organize or lead, cause to be organized or lead, sponsor, engage in, allow or participate in a public event, including but not limited to a parade, carnival, athletic event, festival, fair, celebration or other activity, event or use which blocks, closes or hinders or impairs the vehicular or pedestrian traffic flow in or along a street, road, or other public way within the City without first obtaining a Special Event Permit, as governed by Ordinance No. 55.

**Section XII: Severability**

This Ordinance and the various sections, paragraphs, and clauses thereof, are hereby declared to be severable. If any section, paragraph, or clause is adjudged unconstitutional or invalid, the remainder of the Ordinance shall not be affected thereby.

**Section XIII. Repeal**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section XIV. Effective Date**

This ordinance shall take effect after its summary publication in a newspaper of general circulation, but no less than twenty (20) days from the date of its adoption as provided by the Grant City Charter.

**CERTIFICATION**

Commissioner Bouwkamp moved the adoption of the foregoing ordinance, which was seconded by Commissioner Sanchez, and thereupon adopted by the City of Grant at a regular meeting held this 19<sup>th</sup> day of August, 2019.

As the duly appointed and acting City Clerk, I certify this is a true and complete copy of an ordinance adopted by the City Commission of the City of Grant in accordance with the City Charter of the City of Grant at a duly noticed meeting held on August 19<sup>th</sup>, 2019.

Introduced: July 15, 2019

Adopted: August 19, 2019

Summary published: October 9, 2019

Effective Date: October 9, 2019