

ORDINANCE NO. 8 4TH SERIES

AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, AMENDING CITY CODE PROVISION IN TITLE VII: TRAFFIC CODE, CHAPTER 72 ENTITLED "PARKING REGULATIONS" BY AMENDING SECTION 72.10 PARAGRAPH (D) SNOW EMERGENCY AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 10 AND SECTION 10.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

THE CITY OF EAST GRAND FORKS ORDAINS:

Section 1. Purpose and Intent. To clarify the city policy regarding parking and snow removal during a city declared snow emergency.

Section 2. Amendments Chapter 72.10 (D) removing the following:

(D) *Snow emergency.* A snow emergency automatically goes into effect when 2 inches or more of snow has fallen until the streets are cleaned. Under a snow emergency, no parking on any city street is allowed until that street has been cleared to its full width. Violators will be ticketed and towed

Section 3. Chapter 72.10 (D) as it will read when amended:

(D) Snow Emergency.

(1). *Definition.* For purposes of this section, the term "emergency" means a condition created on city streets because of the presence of snow, freezing rain, sleet or ice thereon or other natural phenomenon which create or are likely to create hazardous road conditions or impede or are likely to impede the free movement of fire, health, police, emergency or other vehicular traffic, when the same has been duly declared.

(2). *Declaration of Emergency.* Whenever in the opinion of the Public Works Director, or in his or her absence the Chief of Police or City Administrator, an emergency exists, he or she may declare the same and cause an announcement thereof to be made to local news media and by any other means available to the city.

(3). *Beginning and Duration of Emergency.*

a. The emergency shall begin one hour after announcement to news media.

b. Once declared, the emergency shall remain in effect until all streets are completely plowed; provided that, the emergency may, in the same manner, be redeclared for subsequent like periods of time.

(4). *Unlawful Acts.*

a. During an emergency, it is unlawful to park or leave standing any vehicle upon any city designated emergency route.

b. During an emergency, it is unlawful to park or leave standing any vehicle upon a street on which parking has been restricted by the declaration of an emergency.

c. A person who violates Subds. 4 (a) or (b) of this section is guilty of a petty misdemeanor punishable by a fine of up to \$300.00 or that amount which may be lawfully prescribed by a municipality for an ordinance violation that is defined as a misdemeanor.

(5). *Exceptions.* This section shall not apply to:

a. Persons in charge of wreckers or authorized emergency vehicles while actually servicing mechanical, fire, police or medical emergencies; or

b. Any street when it has been fully and completely (curb-to-curb) cleared, sanded, salted or cleaned.

(6). *Towing.* Any police officer may order the removal of a vehicle from a street to a garage or other place of safety when the vehicle is left unattended and constitutes an obstruction to traffic or hinders snow removal, street improvements or maintenance operations. The vehicle shall not be released until the fees for towing and storage are paid in addition to any fine imposed for violation of this chapter.

(7). *Rules and Regulations.* Rules and regulations relating to snow removal shall be in accordance with the uniform policy promulgated by the City Council. The regulations shall be posted in the office of the City Administrator and Public Works Department and further notice may otherwise be given as the Council may direct.

Section 4. City Code Title 1 General Provisions, Chapter 10 entitled General Provisions are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 5. This ordinance shall take effect and be in force after its passage, publication and then beginning on April 2, 2013. It shall be given the Number 8, 4th Series.

VOTING AYE: Leigh, Grassel, Vetter, Vonasek, Tweten, and Olstad
VOTING NAY: None
ABSENT: Buckalew

The President declared the Ordinance passed.

ATTEST:

PASSED: April 2, 2013

City Administrator/Clerk-Treasurer

Vice-President of Council

I hereby approve the foregoing Ordinance this 2nd day of April, 2013.

Mayor

Adopted by the City Council this 2nd day of April, 2013.