

**ORDINANCE NO. 17-09**

**AN ORDINANCE OF SOUTH OGDEN CITY, UTAH, REVISING AND AMENDING THE CITY CODE SECTION 6-1-5(I) TO REGULATE PARKING DURING SNOWSTORMS; MAKING NECESSARY LANGUAGE CHANGES TO THE CITY CODE TO EFFECT THOSE CHANGES; AND ESTABLISHING AN EFFECTIVE DATE FOR THOSE CHANGES.**

**Section 1 - Recitals:**

WHEREAS, SOUTH OGDEN City (“City”) is a municipal corporation duly organized and existing under the laws of Utah; and,

WHEREAS, the City Council finds that in conformance with Utah Code (“UC”) §10-3-717, and UC §10-3-701, the governing body of the city may exercise all administrative and legislative powers by resolution or ordinance; and,

WHEREAS, the City Council finds Whereas, there have been increasing incidents of individuals leaving their vehicles parked on portions of a roadway before, during and after snowstorms in violation of current city code requirements; and,

Whereas, the South Ogden City Council finds that such incidents have the potential of severely hampering city efforts to plow and maintain city streets at these critical times; and

WHEREAS, the City Council finds that certain changes should be made to existing city ordinances in order more effectively manage these street maintenance issues; and,

WHEREAS, the City Council finds that South Ogden City Code, at Title 6 and various sections should be amended by adding new language governing winter parking issues and regulations for the city; and,

WHEREAS, the City Council finds that the requirements should be effective upon passage of this Ordinance; and,

WHEREAS, the City Council finds that the public safety, health and welfare is at issue and requires action by the City as noted above;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH OGDEN CITY, UTAH** that the City Code be changed and amended as follows:

**Amended Section:**

Upon the adoption of this Ordinance, Title 6, Chapter 1 Section 5 is readopted to read:

## **6-1-5: PARKING REGULATIONS:**

### **I. Parking During Snowstorms:**

#### **1. Prohibited:**

a. It shall be unlawful for any person who owns or has possession, custody or control of any vehicle, farm equipment or other object to park or place such item or property upon or in any street of the city between the hours of twelve o' one o'clock A.M. and seven o'clock (7:00) A.M. from November 1 to April 1.

b. The prohibition on parking will be city-wide and will be from twelve (12) hours before the time of the projected arrival of an imminent snowstorm as broadcast over any commercial radio or television station until 24 hours after the snowstorm has abated and the streets have been plowed or otherwise treated by the city.

c. Properties with no driveway approach are exempt from this ordinance.

2. Areas Affected: All areas of the city are subject to the terms of this section.

3. Penalty: Any person violating this subsection shall be guilty of an Infraction.

## **Section 2 - Repealer of Conflicting Enactments:**

All orders, ordinances and resolutions regarding the changes enacted and adopted which have been adopted by the City, or parts, which conflict with this Ordinance, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part, repealed.

## **Section 3 - Prior Ordinances and Resolutions:**

The body and substance of any and all prior Ordinances and Resolutions, with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

## **Section 4 - Savings Clause:**

If any provision of this Ordinance shall be held or deemed or shall be invalid, inoperative or unenforceable such reason shall not have the effect of rendering any other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Ordinance being deemed the separate independent and severable act of the City Council of South Ogden City.

## **Section 5 - Date of Effect**

This Ordinance shall be effective on the 21<sup>st</sup> day of March, 2017, and after publication or posting as required by law.

DATED this 21<sup>st</sup> day of March, 2017

SOUTH OGDEN, a municipal corporation

by: \_\_\_\_\_  
Mayor James F. Minster

Attested and recorded

\_\_\_\_\_  
Leesa Kapetanov, CMC  
City Recorder