

ORDINANCE NO. 465

AN ORDINANCE AMENDING CHAPTER 10.36 STOPPING, STANDING AND PARKING
FOR THE TOWN OF MILLS, WYOMING

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF
MILLS, WYOMING:

CHAPTER 10.36

STOPPING, STANDING AND PARKING

Sections:

- 10.36.020 Stopping, standing, or parking prohibited in specified places.
- 10.36.040 Emerging on left-hand side of car.
- 10.36.050 Parking on private property and prohibited areas.
- 10.36.060 Unattended motor vehicles.
- 10.36.070 Parking in alleys prohibited.
- 10.36.080 **Improper Parking, Facing Wrong Direction.**
- 10.36.090 **Handicapped Parking Spaces - Unauthorized Use Prohibited.**
- 10.36.100 **Recreational Vehicle Parking - Violation.**
- 10.36.110 **Oversize and Overweight Vehicles.**
- 10.36.120 **Violations - Registered Owner's Responsibility.**
- 10.36.130 **Parking Ticket to Constitute Notice to Appear - Procedure on Failure to Appear.**
- 10.36.140 **Bond in Lieu of Appearance.**
- 10.36.150 **Vehicle removal authorized when.**
- 10.36.160 **Impound Procedures.**

10.36.020 Stopping, standing, or parking prohibited in specified places.

- (a) No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic-control device, in any of the following places:
- (1) On a sidewalk;
 - (2) In front of a public or private driveway;
 - (3) Within an intersection; **or cross walk;**
 - (4) At any place where official signs prohibit stopping;
 - (5) Within fifteen (15) feet of fire hydrants;
 - (6) **On any bridge or elevated structure upon a highway;**
 - (7) **On any railroad tracks or within fifty (50) feet of the nearest rail of a railroad crossing.**
 - (8) **In the area between roadways of a divided highway, including cross overs.**
 - (9) **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 the entrance.**
 - (10) **Within any fire lane as provided by §10.56.010.**
 - (11) **At any place where official traffic-control devices prohibit stopping, standing or parking.**
- (b) No person shall park a motor vehicle within twenty (20) feet of an intersection **or crosswalk.**
- (c) No person shall move a vehicle not lawfully under his control into any prohibited area or away from a curb a distance of eighteen (18) inches from the right-hand side of the vehicle.

(Ord. 264 §1, 1979)

10.36.040 Emerging on left-hand side of car.

Any person emerging from the left-hand or driver side of any motor vehicle into the line of traffic must not do so without exercise of caution. Persons so emerging must give the right-of-way to approaching vehicles in the line of traffic. (Ord. 130 §47, 1962)

10.36.050 Parking on private property and prohibited areas.

It is unlawful for the operator of any vehicle to drive or park upon any private property or any other property where driving and parking is prohibited by order of the town marshal, Chief of Police, unless the operator has permission of the owner. Cost of removal of the vehicle will be borne by such trespassing vehicle's owner. (Ord. 130 §48, 1962)

10.36.060 Unattended motor vehicles.

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignitions, removing the key, and effectively setting the brake, and, when standing upon any grade, turning the front wheels to the curb or side of the highway. (Ord. 130 §49, 1962) (31-5-509)

10.36.070 Parking in alleys prohibited.

No person shall leave a vehicle parked unattended in any alley within the town except for the purpose of actual loading and unloading in such alley. (Ord. 235 §1, 1975; Ord. 172 (part), 1967).

10.36.080 Improper Parking, Facing Wrong Direction.

Except as otherwise provided in this chapter, or in emergency, no person shall stand or park a vehicle on any street within the Town other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with right-hand wheels of the vehicle within eighteen inches of the curb or edge of the roadway.

10.36.090 Handicapped Parking Spaces - Unauthorized Use Prohibited.

A. It is unlawful for any person to park any motor vehicle in a space designated for use for handicapped parking upon a public or private parking lot unless such vehicle shall have displayed upon it a current disabled veteran's license plate or handicapped parking permit identification card issued in accordance with Sections 31-4-407 and 31-4-408 of the Wyoming Statutes, 1977, as amended, or a temporary permit, and such license plate or permit identification card is displayed upon the vehicle as required by said statutory sections.

B. For the purposes of this section:

1. A "space designated for handicapped parking" means any parking space located upon a public or private parking lot which is marked and designated with a sign which is painted blue in color, with a symbol of an individual in a wheelchair, painted in white in the middle of the blue area, and which states thereon "Handicapped Parking Only".
2. "Public or private parking lot," as used herein, means any tract, parcel of land, lot or building or portion thereof, which is publicly or privately owned, maintained and used to provide parking, not including a street.

1036.100 Recreational Vehicle Parking - Violation.

A. It is unlawful and a violation of this chapter to park a recreational vehicle on any street within the Town except as follows:

1. The owner of any such recreational vehicle may apply to the Town for an annual permit to park a recreational vehicle on the public street in front of the lot owned by him. If the Chief of Police determines that there is insufficient space or access to the lot for storage of such unit, then he shall notify the applicant, who shall obtain the

signatures of four of the five lots adjacent to and across the street from the applicant, agreeing to the parking of such recreational vehicle. The petition shall be presented to the Chief of Police before a permit to park on the street will be approved. The five lots shall mean the two lots immediately adjacent on the same side of the street (one on each side) and the three lots immediately across the street. A permit allowing parking of such vehicles shall not be issued for parking on an arterial or collector street, as designated by the Chief of Police.

2. The owner of any boat, boat trailer, utility trailer, horse trailer, motor home, recreational vehicle, trailer van or similar type of vehicles shall be permitted to park such boat, boat trailer, utility trailer, horse trailer, motor home, recreational vehicle, trailer van or similar type vehicles on any street for a period not to exceed five consecutive days in any thirty day period. Any person desiring to park any boat, boat trailer, utility trailer, horse trailer, motor home, recreational vehicle, trailer van or similar type of vehicle on a street for a period in excess of five consecutive days in any thirty day period shall first obtain an RV parking permit set forth in subsection (A)(1) of this section.

3. At any corner formed by the intersecting streets, it shall be unlawful to park within the triangle formed by the centerline of the intersecting streets, or alley drawn from the centerline of the intersecting streets or alley, drawn from the point of intersection back a distance of seventy-five (75) feet with a line drawn to form a right triangle.

4. Permits can be renewed annually if no objections have been received from adjoining property owners. The fee for such permit or the renewal of the permit shall be as approved by a resolution of the council.

B. The provisions of subsection A of this section shall not apply to storage in authorized trailer sales or service facilities or garages or recreational vehicle parking areas.

C. The use of a recreational vehicle as a dwelling when parked on private property or on a public street, shall be limited to five (5) consecutive days.

10.36.110 Oversize and Overweight Vehicles

No person shall stop, stand or park any vehicle which weight, together with its load, is in excess of 16,000 pounds, or any vehicle in excess of 8 feet in width, upon the streets of the Town, excluding designated through streets, except for the purpose of actual loading or unloading of such vehicle or its load.

10.36.120 Violations - Registered Owner's Responsibility

Every registered owner of a vehicle shall be responsible for its operation by any and every employee and other persons using such vehicle with the consent, authority or acquiescence of the owner, and the violation of any part of this chapter by a person other than the owner of such vehicle shall also be a violation hereof by the registered owner of such vehicle, and it shall not be a defense to any charge made hereunder that the owner of such vehicle was not driving, operating, or parking the same at the time when the violation occurred; provided, nothing in this chapter shall apply to vehicles owned by the United States Government, state, county or city or any subdivision or department thereof when the drivers of such vehicles are engaged in the business of the governmental agency; provided further, that nothing in this chapter shall apply to:

- A. Sheriffs, coroners, constables, jurors and witnesses, while going to, attend or returning from courts;
- B. Electors, while going to and returning from, or in attendance at elections.

10.36.130 Parking Ticket to Constitute Notice to Appear - Procedure on Failure to Appear.

It shall constitute notice to every person charged with violating this chapter if a member of the police department or any police officer of the Town affixes to or deposits in an automobile or vehicle found to be parked in violation of this chapter, a traffic violation ticket indicating thereon the location at which the violation occurred, the date upon which the same occurred, the license number of such vehicle, and notice of time and date the owner of such vehicle is required to appear at the Municipal of the Town, to answer to the charge of such violation.

The owner of any vehicle who fails to appear at Court at the time fixed in any such notice shall be formally charged by complaint and warrant with violation of this chapter and shall be brought before the Court to be dealt with in accordance with law.

10.36.140 Bond in Lieu of Appearance.

In the event that any person receiving any ticket or notice of violation does not desire to appear before the Court to answer such charge, he may pay the maximum penalty in cash. Each ticket or citation shall be considered as a separate offense, such amount to be forfeited unless such person shall appear before the Municipal Judge at the time fixed in such notice.

10.36.150 Vehicle removal authorized when.

Whenever any police officer finds a vehicle upon a street or highway or in a restricted parking area in violation of the provisions of this chapter, such officer is authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same.

10.36.160 Impound Procedures.

A. Authorization to Remove and Store Vehicles.

Whenever any police officer finds a vehicle unattended upon any street, alley or other public property where such vehicle constitutes an obstruction to traffic or for other reasons set forth herein, such officer is authorized to provide for the removal of such vehicle to the nearest Town garage or other place of safety designated by the Chief of Police or his appointed authority, at the expense of the registered owner thereof.

B. Circumstances requiring removal of vehicle.

Members of the police department are authorized to remove a vehicle from a street or highway or restricted parking area to the Town garage or other place of safety under the circumstances hereinafter enumerated:

- i. When any vehicle is left unattended upon any bridge or viaduct or in any subway, where such vehicle constitutes an obstruction to traffic;
- ii. When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal;
- iii. When a vehicle is left parked in the same place continuously for seventy-two hours;
- iv. When the driver of such vehicle is taken into custody by the police department and such vehicle would thereby be left unattended upon a street, highway, or restricted parking area;
- v. When such vehicle is found being driven on the streets or highways and is not in proper condition to be driven;
- vi. When a driver, owner or person in charge of such vehicle, while driving or in charge of such vehicle, or while such vehicle was parked or stopped, has received a notice to answer to a charge against him for violation of the provisions of this title or other traffic ordinances, and such driver, owner or person in charge has failed to appear and answer to such charge.

EFFECTIVE DATE

This Ordinance shall be in full force and effect ten (10) days following its passage and approval on third and final reading.

REPEAL OF CONFLICTING ORDINANCES

All existing Ordinances or parts of Ordinances of the Town of Mills are hereby repealed insofar as they may be inconsistent with the provisions of this Ordinance.

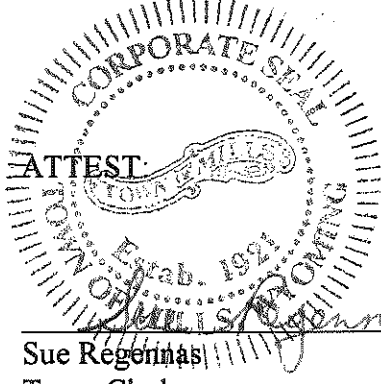
SEPARABILITY OF PROVISIONS

It is the intention of the Council that each separate provision of this Ordinance be deemed independent of all other provisions, and it is further the intention of the Council that if any provisions of this Ordinance be declared invalid for any reason that all other provisions hereof shall remain valid and enforceable.

PASSED on 1st reading the 7th day of July, 1999.

PASSED on 2nd reading the 4th day of August, 1999.

PASSED, APPROVED, AND ADOPTED on the 3rd and final reading on the 8th day of September, 1999.



TOWN OF MILLS, WYOMING
A Municipal corporation,

Sue Regennas
Town Clerk

By:

Robert L. Goff
Robert L. Goff
Mayor

I, Sue Regennas, Town Clerk of the Town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 465, entitled, "AN ORDINANCE AMENDING CHAPTER 10.36 STOPPING, STANDING AND PARKING FOR THE TOWN OF MILLS, WYOMING". Passed on third and final reading by the Governing Body of the Town of Mills, Wyoming, at a regular meeting held on the 9th day of September, 1999.

Sue Regennas
Sue Regennas, Town Clerk

I, regularly appointed, duly qualified and acting Town Clerk of the Town of Mills, Wyoming, do hereby certify that signed, attested, sealed and certified copies of this Ordinance No. 465, approved and passed as certified above, were, following its passage by the Governing Body, posted in the Mills Post Office and the Town Clerk's Office for a period of ten days as required by law, that it took effect and became in force as a legal Ordinance of the Town of Mills, Wyoming, on the 22nd day of September, 1999.

Sue Regennas
Sue Regennas, Town Clerk