

**Ordinance No. 12-25**

**AN ORDINANCE AMENDING TITLE 9, PARKING CODE, SECTION 9-2-1, PARKING PROHIBITED IN CERTAIN PLACES, SECTION 9-2-7, PARALLEL PARKING, AND SECTION 9-5-3, TYPES OF PERMITS, OF THE MUNICIPAL CODE OF PARK CITY**

WHEREAS, to comply with Utah State Code, the following amendments must be made to the Municipal Code;

WHEREAS, to better accommodate the parking needs of residents living within a Residential Permit Zone who are, because of insufficient off-street parking, required to park on public streets regulated by time limited parking;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK CITY, UTAH THAT:

**Section I.** Amendment. Title 9, Parking Code, Section 9-2-1, Parking Prohibited in Certain Places, and Section 9-2-7, Parallel Parking, of the Municipal Code of Park City is hereby amended as follows:

**9-2-1. PARKING PROHIBITED IN CERTAIN PLACES.**

It shall be unlawful and a violation of this Title for any person to park a vehicle, or to permit others to park a vehicle in any of the following places on a street or public parking facility:

- (A) On or across a sidewalk;
- (B) In front of, or within five feet (5') of a public or private driveway or alleyway;
- (C) Within an intersection, or within (15') of an intersection;
- (D) In front of or within ~~five feet (5')~~ **fifteen feet (15')** ~~from of~~ a fire hydrant;
- (E) In or on a crosswalk;
- (F) Within twenty feet (20') of a crosswalk ~~at an intersection~~;
- (G) Within thirty feet (30') from the approach to any flashing beacon or traffic control device, including stop signs controlling traffic on the same roadway as the approach;
- (H) Within fifty feet (50') of the nearest rails of any railroad crossing;
- (I) Within twenty feet (20') of the entrance to a fire station, or on the street opposite of the entrance to a fire station if designated a no-parking area by signs;

- (J) Alongside any street excavation or construction fence or barricade if parking in that location would obstruct the free-flow of traffic on the street;
- (K) On a bridge or other elevated portion of a street or under an overpass;
- (L) At any place marked by signs as a no-parking zone;
- (M) In such a location or manner that the car is parked opposite the flow of traffic on the street, except as provided in this Title;
- (N) In such a location or manner so as to occupy two (2) or more marked parking spaces;
- (O) At any place marked with a red curb;
- (P) In any parking space designated 'Handicapped,' or otherwise for mobility disabled under the qualifications of the Americans with Disabilities Act, when not displaying proper distinguishing license plates or an official state-approved placard indicating that the occupant of said vehicle is mobility disabled under the qualifications of the Americans with Disabilities Act.

*(Amended by Ord. No. 03-30)*

#### **9-2-7. PARALLEL PARKING.**

Except where otherwise designated, it shall be unlawful to park any vehicle in a manner other than parallel with the curb or shoulder of the street, with the front of the vehicle facing the direction of traffic flow, with the right-hand wheels (passenger side) not more than ~~eighteen inches (18")~~ **twelve inches (12")** from the curb, ~~shoulder, or snow bank, whichever is nearer to the traffic lane.~~ **Where there is no curb, or the curb is obscured by a snow bank, the right-hand wheels must be as close as practicable to the right edge of the right-hand shoulder or snow bank, whichever is nearer to the traffic lane. The vehicle must not obstruct traffic when parked adjacent to the snow bank.**

**Section II.** Amendment. Title 9, Parking Code, Section 9-5-3, Subsection (A) Resident Permit, of the Municipal Code of Park City is hereby amended as follows:

#### **9-5-3 TYPES OF PERMITS**

The following permit types are established and shall be issued by the City upon payment of the appropriate fee, if any, as designated in the Fee Resolution:

**(A) RESIDENT PERMIT.** One (1) resident permit shall be issued for each vehicle owned by a person residing within a Residential Permit Zone (RPZ). If more than two

(2) permits are requested for one (1) residence, the owner(s) of the vehicles of the residence must make a formal application to the City for additional permits. In no case shall the number of residential permits issued to one (1) residence exceed five (5). Permits will only be issued to the extent that the number of vehicles registered at the dwelling exceeds the off street parking available at the dwelling to encourage the use of all available off-street parking. **No more than two (2) permits shall be issued to any residence within an RPZ that requires parking on a public street subject to time limited parking, as set forth in 9-3-3 of the Municipal Code.** An applicant for a permit shall present a current Utah motor vehicle registration, a current operator's license ~~with the application~~, and proof of residence **with the application**, and shall certify the application with his or her signature.

No permit shall be issued in the event that either the registration or license shows an address not within the RPZ unless the applicant demonstrates to the satisfaction of the City Manager or designee that the applicant is, in fact, a resident of the RPZ, and that the vehicle is used primarily by the applicant.

The resident permit shall be valid until the expiration date shown on the permit, or until the resident, business, or qualified nonprofit organization relocates outside the RPZ, or until the permitted vehicle is sold, whichever occurs first.

Resident permit shall be valid only in the same residential permit parking zone in which residence, business, or qualified institution is located.

**Section III.** Effective Date. This Ordinance shall become effective upon publication.

**PASSED AND ADOPTED this 13<sup>th</sup> day of September, 2012**

PARK CITY MUNICIPAL CORPORATION



Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



## **Exhibit – State of Utah Traffic Code (Title 41, Chapter 6a) Referenced**

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### **Utah Code Ann. § 41-6a-207 Uniform application of chapter -- Effect of local ordinances.**

- (1) The provisions of this chapter are applicable throughout this state and in all of its political subdivisions and municipalities.
- (2) A local highway authority may not enact or enforce any rule or ordinance in conflict with the provisions of this chapter.
- (3) A local highway authority may adopt:
  - (a) ordinances consistent with this chapter; and
  - (b) additional traffic ordinances not in conflict with this chapter.

### **Utah Code Ann. § 41-6a-1401 Standing or parking vehicles -- Restrictions and exceptions.**

#### **41-6a-1401. Standing or parking vehicles -- Restrictions and exceptions.**

- (1) Except when necessary to avoid conflict with other traffic, or in compliance with law, the directions of a peace officer, or a traffic-control device, a person may not:
  - (a) stop, stand, or park a vehicle:
    - (i) on the roadway side of any vehicle stopped or parked at the edge or curb of a street;
    - (ii) on a sidewalk;
    - (iii) within an intersection;
    - (iv) on a crosswalk;
    - (v) between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
    - (vi) alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
    - (vii) on any bridge or other elevated structure, on a highway, or within a highway tunnel;
    - (viii) on any railroad tracks;
    - (ix) on any controlled-access highway;
    - (x) in the area between roadways of a divided highway, including crossovers; or
    - (xi) any place where a traffic-control device prohibits stopping, standing, or parking;
  - (b) stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
    - (i) in front of a public or private driveway;
    - (ii) within 15 feet of a fire hydrant;
    - (iii) within 20 feet of a crosswalk;
    - (iv) within 30 feet upon the approach to any flashing signal, stop sign, yield sign, or traffic-control signal located at the side of a roadway;
    - (v) within 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 75 feet of the entrance when properly signposted; or
    - (vi) at any place where a traffic-control device prohibits standing; or
  - (c) park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers:
    - (i) within 50 feet of the nearest rail of a railroad crossing; or

- (ii) at any place where traffic-control devices prohibit parking.
- (2) A person may not move a vehicle that is not lawfully under the person's control into any prohibited area or into an unlawful distance from the curb.
- (3) This section does not apply to a tow truck motor carrier responding to a customer service call if the tow truck motor carrier has already received authorization from the local law enforcement agency in the jurisdiction where the vehicle to be towed is located.

**41-6a-1402. Stopping or parking on roadways -- Angle parking -- Traffic-control devices prohibiting or restricting.**

- (1) Except as otherwise provided in this section, a vehicle stopped or parked on a two-way roadway shall be stopped or parked with the right-hand wheels:
  - (a) parallel to and within 12 inches of the right-hand curb; or
  - (b) as close as practicable to the right edge of the right-hand shoulder.
- (2) Except when otherwise provided by local ordinance, a vehicle stopped or parked on a one-way roadway shall be stopped or parked parallel to the curb or edge of the roadway in the direction of authorized traffic movement with its:
  - (a) right-hand wheels:
    - (i) within 12 inches of the right-hand curb; or
    - (ii) as close as practicable to the right edge of the right-hand shoulder; or
  - (b) left-hand wheels:
    - (i) within 12 inches of the left-hand curb; or
    - (ii) as close as practicable to the left edge of the left-hand shoulder.
- (3) (a) Except as provided in Subsection (3)(b), local highway authorities may by ordinance permit angle parking on any roadway.
- (b) Angle parking is not permitted on any federal-aid or state highway unless the Department of Transportation has determined that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.
- (4) (a) The Department of Transportation, with respect to highways under its jurisdiction, may place traffic-control devices prohibiting or restricting the stopping, standing, or parking of vehicles on a highway where:
  - (i) the stopping, standing, or parking is dangerous to those using the highway; or
  - (ii) the stopping, standing, or parking of vehicles would unduly interfere with the free movement of traffic.
- (b) A person may not stop, stand, or park a vehicle in violation of the restriction indicated by the devices under Subsection (4)(a).

**Utah Code Ann. § 41-6a-102**

- (9) "Crosswalk" means:
  - (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.