

AN ORDINANCE RELATING TO TRAFFIC: REGULATING PARKING OF VEHICLES, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND DECLARING AN EMERGENCY.

Whereas, the Council of the City of Sweet Home has determined the best method by which the parking of vehicles in certain areas of the city may be regulated is by the designation of individual parking spaces in the said area, and by restricting parking in said area to reasonable intervals of time.

The City of Sweet Home does ordain as follows:

Section 1. For the purpose of this ordinance -

(a) The word "vehicle" shall mean any device in, upon, or by which any persons or property is or may be transported upon a highway, except a device which is operated upon rails or tracks.

(b) The word "street" shall mean any public street, avenue, road, boulevard, highway, or other public place located in the City of Sweet Home and established for the use of vehicles.

(c) The word "person" shall mean and include any individual, firm, copartnership, or corporation.

(d) The word "operator" shall mean and include every individual who shall operate a vehicle as the owner thereof, or the agent, employe or permittee of the owner.

Section 2. The City Manager is hereby authorized to establish zones to be known as parking zones in the following streets:

Main Street from 9th Avenue east to 18th Avenue.

Long Street from the Ames Creek bridge east to 18th Avenue.

9th Avenue from Main Street to Nandina Street.

10th Avenue from Long Street to Main Street.

12th Avenue from Kalmia Street to Nandina Street.

13th Avenue from Kalmia Street to Nandina Street.

15th Avenue from Main Street to Nandina Street.

And from time to time hereafter as traffic conditions require, in such other streets as are selected by resolution of the City of Sweet Home for the location of such zones. And in said parking zones the City Manager shall cause parking spaces to be designated as hereinafter provided, and shall fix the time limitations for legal parking in such zones, and the hours during the day and night when time limitations shall be effective, in compliance with the provisions of this ordinance; and shall indicate the time limitations by designating the same by appropriate signs posted in proximity to said zones.

Section 3. The City Manager is hereby directed to provide for the maintenance supervision, regulation, and use of the parking zones provided for in this ordinance.

Section 4. The City Manager shall have lines or markings painted or placed upon the curb and/or upon the street adjacent to each parking space, and each vehicle shall park within the lines or markings so established. It shall be unlawful and a violation of this ordinance to park any vehicle across any such line or marking or to park said vehicle in such position that the same shall not be entirely within the area so designated by such lines or markings.

Section 5. A parking space may be lawfully occupied by a vehicle during the period of parking time which has been prescribed for the part of the street in which said parking space is located. If said vehicle shall remain parked in any such parking space beyond the parking time limit fixed for such parking space, such vehicle shall be considered as parked overtime and beyond the period of legal parking time.

Section 6. It shall be unlawful and a violation of the provisions of this ordinance for any person to cause, allow, permit, or suffer any vehicle registered in the name of, or operated by such persons, to be parked overtime or beyond the period of legal parking time established for any parking zone as herein described.

Section 7. It shall be the duty of police officers of the City, acting in accordance with instructions issued by the City Manager, to report:

- (a) The location where a vehicle is or has been parking in violation of any of the provisions of this ordinance;
- (b) The state license number of such vehicle;
- (c) The time during which such vehicle is/or has been parking in violation of any of the provisions of this ordinance;
- (d) Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation, each such police officer shall also attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of a provision of this ordinance, and instructing such owner or operator to report at the office of the Municipal Judge of the City of Sweet Home in regard to such violation. Each such owner or operator may within 5 days thereof, pay to the City Recorder as a penalty for and in full satisfaction of such violation, the sum of \$2.50 for a violation in a 2-hour parking zone and \$.50 for a violation in a 15-minute parking zone. If a vehicle is parked in a 2-hour time zone for an additional 2 hours after the time has expired, or in a 15-minute zone for an additional 15 minutes after the time has expired, then each successive time period during which it is parked may be treated as a separate violation.

(e) Vehicles that are parked in violation of the provisions of this ordinance may be towed from the parking space, and the vehicle shall be subject to a lien for the reasonable charges for towing and storage of the vehicle, which shall be paid before the vehicle is released to the owner thereof. The said lien may be foreclosed by a private party for towing and storage under the provisions of Oregon law, or if such charges are due to the City, then the lien may be foreclosed in the same manner as provided in Ordinance No. 169, or as provided by Oregon law.

Section 8. Any person who shall violate any of the provisions of this ordinance, and any person who aids, abets, or assists therein, shall, upon conviction thereof by the Municipal Judge, be subject to a fine of any amount not exceeding \$100.00 for each offense or violation, or be imprisoned for a term of not exceeding five days, in the city jail, or in any place provided by the municipality for the detention of prisoners, or both.

Section 9. This ordinance shall be deemed to be in addition and supplementary to, and not in conflict with, other ordinances for the regulation of traffic and parking in those zones provided for therein.

Section 10. If a section, part of section, sentence, clause, or phrase of this ordinance shall be held to be unconstitutional or invalid, the remaining provisions hereof shall nevertheless remain in full force and effect.

Section 11. Ordinance No. 133 is hereby repealed.

Section 12. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health, and safety. Therefore, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage and approval by the Mayor.

PASSED by the Council and approved by the Mayor this 13th day of August, 1974.

ATTEST:

David M. Critcher
City Manager and ex-officio City Recorder

Edward H. Butler
Mayor