

First Reading: _____

Bill No. 1

Second Reading: _____

Ordinance N

AN ORDINANCE AMENDING CHAPTER 365 OF THE MUNICIPAL CODE OF THE CITY OF COOL VALLEY TO REVISE THE CITY'S REGULATIONS PERTAINING TO SNOW ROUTES AND TO ESTABLISH PENAL VIOLATION THEREOF.

WHEREAS, the ability of police, fire, EMS and other emergency services to have ready access to all parts of the City of Cool Valley at all times is essential to the health, safety and wellbeing of all city residents; and

WHEREAS, the prompt removal of snow and ice from the traveled roadways within the city is necessary in order to assure emergency services access and to allow city residents to safely go about their work and other activities;

WHEREAS, the presence of parked vehicles on and along heavily traveled, especially narrow or steep or other problematic roadways severely impedes the City's ability to remove accumulated snow and ice from the portions of such roadways, thereby endangering the public health and safety;

NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF ALDERMEN OF THE CITY OF COOL VALLEY, MISSOURI AS FOLLOWS:

SECTION 1. Article IV of Chapter 365 of the Code of Ordinances of Cool Valley, Missouri, is hereby amended by the repeal of said Article IV and the enactment of a new Article IV in lieu thereof, to read as follows:

Chapter 365. Stopping, Standing or Parking Regulations or Prohibited on Certain Streets

Article IV. Snow and Ice Emergencies

Section 365.140. Short Title.

This Article shall be known and may be cited as the "Snow and Ice Emergency Ordinance of the City of Cool Valley".

Section 365.150. Definitions.

As used in this Section, the term *snow emergency routes* those streets marked as such in accordance with the provisions of this Article.

Section 365.160. Parking Prohibitions Under Certain Conditions.

Whenever there has been a prediction of two (2) inches of snow, an emergency will be in effect beginning with the start of the snowfall, and the snow route procedure will be enforced whenever snow begins to fall.

Section 365.170. Parking Prohibited on Snow Emergency Routes During Snow Emergencies.

While the snow emergency is in effect, no person shall park or leave a vehicle to remain parked, any vehicle on any portion of a snow emergency route to which the emergency applies. However, nothing in this Section shall be construed to permit parking at any time or place where it is forbidden by any other provisions of law.

Section 365.180. Expiration of Prohibition.

Any prohibition going into effect pursuant to the provisions of Section 365.160 hereof shall automatically expire for each street when the same has become substantially clear of snow from the curb to curb for the length of the block or by order of the Chief of Police or ranking Police Officer on duty at the time of the snow emergency. The Department having authority to police the streets of the City of North Valley.

Section 365.190. Stalled Vehicles on Snow Emergency Routes.

Whenever a vehicle becomes stalled for any reason, whether or not in violation of this Article, on any part of a snow emergency route on which there is a covering of snow, sleet or ice, or on which a parking prohibition is in effect, the person operating such vehicle shall take immediate action to have the vehicle towed or pushed off the roadway of such snow emergency route onto the first clear roadway which is not a snow emergency route. No person shall leave his vehicle in the roadway of a snow emergency route (regardless of whether he indicates, by raising the hood or

that the vehicle is stalled), except for the purpose of assistance during the actual time necessary to go to a telephone or to a nearby garage, gasoline station or other place for assistance and return without delay.

Section 365.200. Vehicles May Be Removed and Stored

- A. Members of the police department are hereby authorized to remove, or have removed, a vehicle from a street to a garage or other place of safety (including another part of the street), or to a garage designated or maintained by the police department or otherwise maintained by this city, when:
1. The vehicle is parked on a part of a snow emergency route which a parking prohibition is in effect.
 2. The vehicle is parked on a part of a snow emergency route which there is a covering of snow, sleet or ice, or there is a parking prohibition in effect and the person operating such vehicle does not take appropriate steps to remove it in accordance with the provisions of this Article.
 3. The vehicle is parked in violation of any parking or traffic provision of law and is interfering or about to interfere with snow removal operations.
- B. The removal, impounding and return of obstructing vehicles from a snow emergency route shall be at the direction of the police department in accordance with applicable ordinances and procedures thereeto.

Section 365.210. Evidence of Violation.

In any prosecution with regard to a vehicle parked or left in a condition in violation of any provision of this Article, proof that a particular vehicle described in the complaint was parked in violation of a provision of this Article, together with proof that the defendant named in the complaint was at the time the vehicle was parked the owner of the vehicle, shall constitute prima facie evidence that the defendant was the person who parked or left the vehicle in violation of this Article.

Section 365.220. Penalty for violation.

Every person convicted of a violation of any provision of shall be punished by a fine of one hundred dollars (\$100.00) towing and/or storage fees.

Section 2. The Chapter, Article, Division and/or Section a designated in this Ordinance may be revised and altered by the company servicing the City Code of Ordinances upon supplement such code if, in the discretion of the editor, an alternative designation be more reasonable. In adjusting such designations the editor change other designations and numerical assignment of code accommodate such changes.

Section 3. It is hereby declared to be the intention of the Aldermen that the sections, paragraphs, sentences, clauses, paragraphs, words of this ordinance are severable, and if any section, sentence, clause, phrase or word(s) of this ordinance shall be unconstitutional or otherwise invalid, such unconstitutionality or shall not affect any of the remaining sections, paragraphs, clauses, phrases and words of this ordinance since the same have been enacted by the Board of Aldermen without the incorporation of any such unconstitutional or invalid portion of the ordinance.

Section 4. This ordinance, and the code adopted hereby, shall force and effect from and after its passage and approval.

PASSED BY THE BOARD OF ALDERMEN FOR THE CITY VALLEY THIS 26th DAY OF December, 2018.


Presiding Officer

Attest:


Deborah Jones-Daniels, City Clerk

APPROVED THIS 26th DAY OF December, 2018.

Viola Murphy, Mayor
Viola Murphy, Mayor

12/26/2018

Attest:

Deborah Jones-Dantels
Deborah Jones-Dantels, City Clerk

