

CHAPTER 2
SNOW REMOVAL

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5-2-1: **PURPOSE:** The purpose of this chapter is to:

- A. Snow and Ice Removal: Render the removal of snow and ice from city streets safe, more economical and less time consuming.
- B. Accident Prevention: Avoid collisions of snow removal equipment with motor vehicles, trailers or other types of vehicles and reduce the possibility of accidents involving pedestrians.
- C. Efficiency: Provide more efficient and economical utilization of snow removal equipment. (Ord. 93-1019, 10-19-1993)

5-2-2: **DEFINITIONS:** The following terms as used in this chapter are as follows:

- CORPORATE LIMITS: The legally incorporated boundaries of the city.
- MOTOR VEHICLE: Every self-propelled vehicle designed for carrying persons or property upon a public street or highway, including motorcycles, regardless of whether the motor vehicle is in operable condition.
- MUNICIPALITY AND CITY: The city of Victor, Idaho.
- PERSONS AND PREMISES: Shall have the same meaning as provided in section 23-1001, Idaho Code.
- TRAILER: Every vehicle with or without motive power

designed for carrying persons or property and for being drawn by a motor vehicle.

VEHICLE: Every device designed for or in which persons or property is or may be transported or drawn upon a public street or highway, including bicycles. (Ord. 93-1019, 10-19-1993)

5-2-3: EXERCISE OF POLICE POWER: The chapter exercises the police power of the city for the protection of the public safety of the citizens. All of its provisions shall be liberally construed to attain that purpose. (Ord. 93-1019, 10-19-1993)

5-2-4: PARKING RESTRICTIONS:

A. **Seasonal Restrictions:** No person shall stand, stop or park a motor vehicle, trailer or other vehicle on any roadways or within existing public easements for such roadways, or on any designated alleyway within the corporate limits between the hours of two o'clock (2:00) A.M. to ten o'clock (10:00) A.M. in residential areas, and two o'clock (2:00) A.M. to eight o'clock (8:00) A.M. in the business areas, between November 15 and April 1 of any year. (Ord. 06-0222-8, 2-22-2006)

B. **Enforcement of Other Restrictions:** In the event any other ordinance, statute, law or proclamation provides for parking restrictions more restrictive than those set forth in this chapter, then such other parking restrictions shall be controlling and may be enforced in accordance with the terms of this chapter or in accordance with the terms of such other ordinance, state, law or proclamation. (Ord. 93-1019, 10-19-1993, 2-22-06-8)

5-2-5: TICKETING OF VEHICLES; FINES: Any motor vehicle, trailer, or other vehicle found parked along a street or alley in violation of the parking restrictions imposed by this chapter may be issued a uniform traffic citation in the same manner as uniform traffic citations for other violations are issued within the corporate limits. If the motor vehicle, trailer or other vehicle is not removed by the city as provided in subsection 5-2-6A of this chapter, the amount of the fine for the traffic citation shall be established by the Victor city council that may change from time to time and listed in The Fees and Fines Schedule. If the motor vehicle, trailer, or other vehicle is removed by the city as provided in subsection 5-2-6A of this chapter, the amount of the fine for a traffic citation shall be punishable by a fine as per the fee and fine schedule adopted by city council, which shall be in addition to the cost of towing and impound or storage fees. All traffic citations shall be paid in the amount and within the times as directed on the citation or as otherwise provided by law. The portion of collected fines received by the city from the district court shall be deposited into the city's general fund. (Ord. 93-1019, 10-19-1993)

5-2-6: **REMOVAL OF VEHICLES; TOWING; STORAGE:**

- A. Towing; Storage: In addition to issuance of a uniform traffic citation as provided in the preceding section, any motor vehicle, trailer or other vehicle found parked along a street or alley in violation of the parking restrictions impose by this chapter may be removed at any time at the direction of any duly designated or authorized representative, employee or agent of the city, and may be towed to a storage area located next to the city fire station or may be towed to and stored in any other public or private storage area, without notice to the owner of the motor vehicle, trailer or other vehicle. The storage area next to the fire station or the public or private storage area used to store such vehicles need not be an enclosed or secured area. The towing may be done by any private licensed towing service or by city personnel. All towing and impound or storage fees shall be paid by the owner or operator of the motor vehicle, trailer, or other vehicle directly to the private towing service operator before the motor vehicle, trailer, or other vehicle is released. If the motor vehicle, trailer or other vehicle is removed by city personnel, the towing charge and storage fees shall be paid directly to the city before the motor vehicle, trailer, or other vehicle is released. The towing and impound or storage fees paid to the city shall be deposited into the city's general fund. (Ord. 93-1019, 10-19-1993)
- B. Fees Established: The city council is authorized to establish by resolution the towing and storage fees for motor vehicles, trailer and other vehicles towed or stored in accordance with this chapter. A current list of the towing and storage fees shall be kept in the office of the city clerk/treasurer. If required by law, the city clerk/treasurer shall publish a notice of these fees and their effective dates in a newspaper of general circulation within the city in a manner that satisfies the provisions of such law. Members of the public shall be advised of the amount of such fees upon request directed to the city clerk/treasurer. (Ord. 93-1019, 10-19-1993; amd. 1996 Code)

5-2-7: **ROADWAY IMPROVEMENTS; OBSTRUCTION REMOVAL:**

By law the city already has the power to widen and improve roadways within existing public road easements and to remove permanent obstructions within such easements. Based on that right and power, and in order to carry out the purposes of this chapter, the city may widen and improve roadways and remove permanent obstructions that may cause unnecessary workers and equipment hours for the removal of snow. The city shall not be obligated to reimburse or pay any person owning an obstruction for damages to the obstruction of real property caused by its removal, but the city shall give such persons advance notice of the need to remove the obstructions and a reasonable time within which to remove them, after which the city may remove the obstructions and a reasonable time within which to remove them, after which the city may remove the obstructions. The city may charge the owner for the cost incurred by the city in removing such obstructions. (Ord. 93-1019, 10-19-1993)

5-2-8: **DESIGNATED ALLEYS:** The following alleys are subject to the parking restrictions of section 5-2-4 of this chapter:

- A. The alley running east-west between Center and Dogwood, beginning at Agate and ending at Beryl.
- B. The alley running east-west between Aspen and Birch, beginning at Agate and ending at Main Street.
- C. The alley running east-west between Birch and Center, beginning at Agate and running to the east corporate limits. (Ord. 93-1019, 10-19-1993)

5-2-9: **PENALTY:** Any person who violates any of the provisions of this chapter or fails to comply with any of the terms or conditions of this chapter shall be guilty of a misdemeanor. (Ord 93-1019, 10-19-1993)