

# Marsing City Code



## Handbook

# Contents

<b>MARSING GENERAL PENALTIES</b> .....	<b>2</b>
<b>ALCOHOL</b> .....	<b>2</b>
A.    Open Containers: .....	2
<b>NUISANCES</b> .....	<b>3</b>
3-1-2: NUISANCES PROHIBITED: .....	3
3-1-3: ENUMERATION OF NUISANCES: .....	3
3-1-3-1: PUBLIC DISTURBANCE NOISE: .....	4
3-1-4: NOTICE TO ABATE: .....	5
3-1-7: PENALTIES: .....	6
<b>OPEN BURNING</b> .....	<b>6</b>
3-3-4: PERMITTED BURNING: .....	6
<b>ABANDONED VEHICLE</b> .....	<b>7</b>
3-4-1: DEFINITION: .....	7
3-4-2: ABANDONMENT AND STORAGE PROHIBITED; EXEMPTIONS: .....	7
3-4-3: REMOVAL OF VEHICLES; COSTS AND DISPOSITION: .....	8
<b>DOGS</b> .....	<b>9</b>
4-2-2: LICENSE REQUIREMENTS: .....	9
4-2-3: RUNNING AT LARGE: .....	11
4-2-4: VICIOUS DOG: .....	11
4-2-5: NUISANCE DOGS: .....	12
<b>DISTURBING THE PEACE</b> .....	<b>13</b>
4-3-3: DISTURBING THE PEACE: .....	13
<b>MINORS</b> .....	<b>13</b>
4-4-1: CURFEW: .....	13
<b>COMBUSTIBLE MATERIALS</b> .....	<b>14</b>
4-5-3: COMBUSTIBLE MATERIALS: .....	14
<b>OBEDIENCE TO SIGNS</b>	
4-6-1: OBEDIENCE TO SIGNS. . . . .	14
<b>LARGE VEHICLE RESTRICTIONS</b> .....	<b>15</b>
5-2-2: LARGE VEHICLE RESTRICTIONS: .....	15
<b>PARKING REGULATIONS</b> .....	<b>16</b>
5-3-3: GENERAL PARKING RESTRICTIONS AND PROHIBITIONS:.....	16

**MARSING GENERAL PENALTIES**

1-4-1: GENERAL PENALTY:

A. Infraction: Except in cases where a different punishment is hereafter prescribed by city ordinance, every offense declared to be an infraction by this code is punishable only by a penalty not exceeding three hundred dollars (\$300) as provided in Idaho Code section 18-113A, and no imprisonment.

B. Misdemeanor: When the offense is designated as a misdemeanor by any section or provision of this city code or by state law, it is punishable only by a penalty as prescribed by Idaho Code section 18-113.

C. Federally Mandated Programs: When the city is participating in a federally mandated program, wherein penalties or enforcement remedies are required by the terms of participation in the program, the city may enforce such requirements by ordinance, to include a criminal or civil monetary penalty not to exceed one thousand dollars (\$1,000.00), or imprisonment for criminal offenses not to exceed six (6) months, or to include both a fine and imprisonment for criminal offenses. (2012 Code)

Code Section	Title	Amount
1-4-1(A)	General Penalty: (A) Infraction: 1 <sup>st</sup> Offense: \$50.00 2 <sup>nd</sup> Offense: \$100.00 3 <sup>rd</sup> Offense: \$200.00 4 <sup>th</sup> and All Following Offenses: \$300.00	\$50.00 \$100.00 \$200.00 \$300.00

**ALCOHOL**

2-2-10: PROHIBITED ACTS:

A. Open Containers:

1. In Public: It shall be unlawful for any person to carry or have in his possession an open container containing beer, wine or alcoholic liquor in a public place within a distance of three hundred feet (300') of any structure that is licensed to sell beer, wine or alcoholic liquor. Any person convicted of violating this subsection A1 shall be guilty of an infraction.

## **NUISANCES**

### **3-1-2: NUISANCES PROHIBITED:**

The creation or maintenance of a nuisance is prohibited. (Ord. A-94, 7-8-1987)

### **3-1-3: ENUMERATION OF NUISANCES:**

Nuisances shall be defined as follows:

A. Any condition or use of a premises or property which creates a fire hazard and/or creates a condition for the harborage of rodents and insects which may pose a health risk or are injurious to the health, safety and welfare of the inhabitants of the city.

B. The keeping or depositing on or the scattering over any premises or real property any of the following:

1. Lumber, paper, junk, trash, boxes or debris.

2. Abandoned, discarded or unused objects, personal property and/or equipment such as furniture, stoves, refrigerators, freezers, cans, containers, tools or parts of personal property.

3. Partially dismantled, wrecked, junked, discarded or otherwise non-operating motor vehicles or parts thereof except at a licensed salvage yard or property where the primary business is the repair of motor vehicles.

C. Any cattle, horses, sheep, llamas or goats, or combination of said animals, which are not contained in a fenced area of at least one-fourth ( $\frac{1}{4}$ ) acre per animal, including any dwelling.

D. Any fowl not kept or maintained in coops or cages, any fowl in excess of twelve (12) in number at any time and any fowl which is not hooded or otherwise kept silent from sunset to sunrise. Roosters are prohibited from being kept or maintained within the city limits.

E. Any horse or other animal in the streets, alleys or other public places or allowed to run loose or unattended within the city.

F. Any hog or pig or its offspring.

G. Any "dangerous animal", which shall mean any wild animal including, but not limited to, mountain lions, cougars, lynx, bobcats, badgers, bears, ocelots, or any other animal normally found in the wild; any dog which has exhibited dangerous propensities toward other animals or human beings; or any other animal exhibiting characteristics which pose a potential threat to the health and welfare of other animals or human beings.

H. Any bones, putrid, unsound, or unwholesome refuse or flesh of any kind of animal, fish or fowl; any unsound, putrid or unwholesome substance; the carcass of any animal; any offal, garbage or other offensive matter; or any stagnant or impure water cast, left, or kept in or upon any portion of the city.

I. Any stagnant or impure water, refuse vegetables, decayed or decaying matter, or garbage or filth of any kind permitted or allowed to accumulate in or upon any yard, lot or premises within the city.

J. All rubbish, trash, litter, debris, garbage or other waste substances and any noxious, deleterious, harmful and/or unhealthy growths of weeds which exceed eight inches (8") in height and are located on a lot or premises within the city and which are not removed and/or cut and chopped into small pieces.

K. Any chemical, compound mixture, substance or article which is designated by the United States environmental protection agency or appropriate agency of the state to be "hazardous waste" as that term is defined by or pursuant to federal or state law. (Ord. A-94, 7-8-1987)

3-1-3-1: PUBLIC DISTURBANCE NOISE:

A. Nuisance Declared: It is hereby declared to be a nuisance and to be unlawful for any person to cause or for any person in possession of property to allow to originate from the property, sound that is a public disturbance noise.

B. Public Disturbance Noises Enumerated: The following sounds are determined to be noises:

1. The frequent, repetitive or continuous sounding of any horn or siren attached to a motor vehicle, except as a warning of danger or as specifically permitted or required by law.

2. The creation of frequent, repetitive or continuous sounds in connection with the starting, operation, repair,

rebuilding or testing of any motor vehicle, motorcycle, off highway vehicle or internal combustion engine within a residential district so as to unreasonably disturb or interfere with the peace, comfort and repose of owners or possessors of real property.

3. Yelling, shouting, hooting, whistling, or singing on or near the public streets, particularly between the hours of eleven o'clock (11:00) P.M. and seven o'clock (7:00) A.M., or at any time and place so as to unreasonably disturb or interfere with the peace, comfort and repose of owners or possessors of real property.

4. The creation of frequent, repetitive or continuous sounds which emanate from within or without any building, structure, apartment, or condominium which unreasonably interfere with the peace, comfort, and repose of owners or possessors of real property, such as sounds from audio equipment, musical instruments, band sessions, or social gatherings.

5. Sound from motor vehicle sound systems, such as tape players, radios, and compact disc players, operated at a volume so as to be audible greater than fifty feet (50') from the vehicle itself.

6. Sound from audio equipment, such as tape players, radios, or compact disc players, operated at a volume so as to be audible greater than fifty feet (50') from the source, and if not operated upon the property of the operator.

C. Penalty: The penalty for violation of any provision of this section shall be as provided in section 1-4-1 of this code. (Ord. A-117, 5-8-1996)

3-1-4: NOTICE TO ABATE:

A. Issuance: Whenever the mayor, city clerk-treasurer, building inspector or such other officer as provided by law finds that a nuisance exists, he shall cause to be served upon the owner, agent, or occupant of the property on which the nuisance is located, or upon the person causing or maintaining the nuisance, a written notice to abate or to request a hearing as provided in section 3-1-5 of this chapter. (Ord. A-94, 7-8-1987; amd. 2012 Code)

B. Contents Of Notice: The notice to abate shall contain:

1. An order to abate the nuisance or request a hearing as provided by section 3-1-5 of this chapter within a stated time which shall be reasonable under the circumstances.

2. Location of nuisance if stationary.

3. Description of what constitutes the nuisance.

4. Statement of act or acts necessary to abate the nuisance.

5. Statement that if the nuisance is not abated as directed and no request for hearing is made within the time prescribed, the city will abate the nuisance and assess the costs against such person.

C. Method Of Service: The notice to abate shall be served personally, where practical, by certified United States mail, or by posting such notice to abate on the premises. Return of service shall be made as provided by law for returns of personal service. (Ord. A-94, 7-8-1987)

#### 3-1-7: PENALTIES:

Anyone violating any of the provisions of this chapter shall, upon conviction, be guilty of a misdemeanor. Every day any condition is allowed to exist which is in violation of this chapter shall be a distinct and separate offense. (Ord. A-94, 7-8-1987)

### **OPEN BURNING**

#### 3-3-4: PERMITTED BURNING:

A. Burning Permitted: The following shall be considered lawful burning within the city:

1. Outdoor fireplaces, barbecues and grills for outdoor cooking and recreational purposes.

2. The burning of vacant areas, garden debris and leaves.

#### B. Hours:

1. Burning, as set forth in subsection A1 of this section, shall be at any hour of the day or night.

2. Burning of items set forth in subsection A2 of this

section shall be permitted starting at the hour of six o'clock (6:00) A.M. and shall be extinguished by six o'clock (6:00) P.M.  
C. Attendant Required: All open burning shall be constantly attended by a competent person until such fire is extinguished.  
(Ord. A-78, 4-27-1983)

## **ABANDONED VEHICLE**

### **3-4-1: DEFINITION:**

For purposes of this chapter, the term "abandoned, junk motor vehicle" shall mean any motor vehicle, including any recreational vehicle or trailer, not in an enclosed garage or other building, which remains upon a public street or other property open to the public for the purposes of vehicular travel or parking, or upon or within the right of way of any road or highway for forty eight (48) hours, or which remains upon private property or business property open to the public for five (5) days or longer, the owner of which cannot be located or the owner of which fails or refuses to remove the same, and which meets any one of the following qualifications:

A. Is without a valid current state registration and license plates.

B. Cannot be safely operated under its own power.

C. Does not have any one of the following: foot brakes, hand brakes, headlights, taillights, horn, muffler, rearview mirror, windshield wipers or adequate fenders.

D. Has one or more flat tires. (Ord. A-181, 3-9-2011)

### **3-4-2: ABANDONMENT AND STORAGE PROHIBITED; EXEMPTIONS:**

A. Abandonment Prohibited: It shall be unlawful for any owner or operator of a motor vehicle, including any recreational vehicle or trailer, to leave or abandon the same upon the streets or other public property or any business property open to the public or upon any private property. A motor vehicle is abandoned when it is observed by any person to have been left within the limits of any alley, road, street, or highway, or upon any public or private property, without the consent of the owner or person in lawful possession or control of the property, for a period of forty eight (48) hours or longer; except, that a vehicle shall not be considered abandoned if its owner-operator is unable to remove it from the place where it is located and has notified a law enforcement agency and requested assistance.

B. Storage Prohibited: The accumulation and storage of wrecked, dismantled or inoperable vehicles or parts thereof upon the streets or other public property or any business property open to the public or upon any private property is hereby found to create a condition tending to reduce the value of private property, to promote blight and deterioration, to invite plundering, to create fire hazards, to constitute an attractive nuisance creating a hazard to health and safety of minors, to create a harborage for rodents and insects and to be injurious to the health, safety and general welfare. Therefore, the presence of a wrecked, dismantled or inoperable vehicle or parts thereof on private or public property, except as expressly permitted in subsection C of this section, is hereby declared to constitute a public nuisance which may be abated as such in accordance with the provisions of this chapter.

C. Exemptions: Subsections A and B of this section shall not apply to:

1. A vehicle or part thereof which is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property; or

2. A vehicle or part thereof which is stored or parked in a lawful manner on private property, in connection with the business of a licensed dismantler, licensed vehicle dealer, a junk dealer, or when such storage or parking is necessary to the operation of a lawfully conducted business or commercial enterprise and the vehicle is completely enclosed behind a fence or other structure and is not visible from the street or other public or private property. (Ord. A-181, 3-9-2011)

### 3-4-3: REMOVAL OF VEHICLES; COSTS AND DISPOSITION:

A. Notice To Remove: A warning notice to remove shall be placed upon said junk motor vehicle or abandoned vehicle, vehicles or parts thereof.

B. Removal Of Vehicle: Any authorized city officer or employee may remove any junk motor vehicle or abandoned vehicle, vehicles or parts thereof after five (5) days if said vehicle is located on private property or business property open to the public or after forty eight (48) hours if said property is located on the streets or other public property.

C. Traffic Infraction: As provided in Idaho Code section 49-1802, if a vehicle is found abandoned or under extraordinary circumstances and is removed at the direction of any authorized officer and is not redeemed by the owner or lienholder within seven (7) days of the tow, the last registered owner of record is guilty of a traffic infraction, unless the owner has filed a release of liability with the Idaho transportation department according to Idaho Code section 49-526, in which case, the transferee shown on the release of liability shall be guilty of a traffic infraction.

D. Hindering Enforcement: It shall be unlawful and a misdemeanor to interfere with, hinder or refuse to allow any authorized city officer or employee to enter upon private or public property to enforce the provisions of this chapter.

E. Removal By City; Costs And Disposition:

1. If said junk motor vehicle, abandoned vehicle, vehicles or parts thereof are not removed within the time so fixed, the city may cause said junk motor vehicle, abandoned vehicle, vehicles or parts thereof to be removed, and the actual costs of removal, towing and storage fees shall be charged to the owner. A notice of the storage shall be sent by certified mail to the registered and legal owner(s) within forty eight (48) hours, excluding weekends and holidays, from the date of removal and/or towing. In the event said junk motor vehicle, abandoned vehicle, vehicles or parts thereof are not claimed by the lawful owner within ten (10) days of the date of notice, then and in that event, the same shall be sold according to law.

2. The abandonment of any motor vehicle in a manner described in subsections 3-4-2A and B of this chapter shall create a presumption that the registered owner of record is responsible for such abandonment and is thereby liable for the cost of removal and disposition of the motor vehicle. (Ord. A-181, 3-9-2011)

## **DOGS**

4-2-2: LICENSE REQUIREMENTS:

A. License Required: It shall be unlawful to keep, maintain, harbor, or possess a dog unless the owner or person in charge shall have obtained a valid dog license for such dog, and no owner shall keep a dog unless such dog is licensed and such

license is worn on such dog as provided in this section. (Ord. A-171, 3-11-2009)

B. Application For License; Fees: The owner shall make written application to the city clerk-treasurer for a license, which application shall state the owner's name and address and shall describe the dog to be licensed in such a manner that such dog may be identified with reasonable certainty. The city shall issue such license upon the receipt of such application and the payment of a license fee as established by resolution of the council for each altered dog, provided proof is presented from a veterinarian that said dog has been altered. There shall be a license fee as established by resolution of the council for each unaltered dog. Each license shall be issued from January 1 to December 31 of each calendar year. No license fee shall be prorated or refunded. An additional fee as established by resolution of the council will be charged as a late fee for those applications received after February 1.

C. Tag And Collar: The license shall be a metal or plastic tag with identification for that year stamped thereon. Every owner shall provide the dog so licensed with a collar, shall affix the license tag thereto and shall see that the collar and license are worn by the dog at all times. If a license tag is lost, another shall be issued by the city clerk-treasurer upon presentation of a receipt showing payment of a license fee for the current year and the payment of a fee as established by resolution of the council. (Ord. A-171, 3-11-2009; amd. 2012 Code)

D. Exemptions:

1. No license shall be required if the owner of the dog is a nonresident of the city, and the dog is temporarily within the city for a period of not more than ten (10) days.

2. No license fee shall be required if the dog is an assistance or service dog properly trained or prescribed to assist a disabled person and if such dog is actually being used for a disabled person for the purpose of aiding such disabled person. (Ord. A-171, 3-11-2009)

Code Section	Title	Amount
4-2-2(B)	Dogs: License Requirements: Spayed or neutered	\$5.00
	Dogs: License Requirements: Not Spayed	\$20.00

	or neutered	
4-2-2(C)	Dogs: License Requirements: Kennel	\$25.00

4-2-3: RUNNING AT LARGE:

Any person or persons keeping, harboring, possessing, caring for, or having any custodial duties over any dog that is found at large upon the streets, alleys, or any other public place or upon any other premises without the consent of the person in possession of such premises, within the city, is responsible for such animal being at large and is in violation of this section, unless:

- A. Such animal is controlled by a leash not exceeding eight feet (8') in length; or
- B. Such animal is confined in a motor vehicle; or
- C. When such animal is in the immediate care and control of a competent and responsible attendant. (Ord. A-171, 3-11-2009)

4-2-4: VICIOUS DOG:

A. Impoundment And Destruction; Determination Of Vicious Dog: The city clerk-treasurer or authorized individual(s) shall capture, impound and may destroy any dog found to be vicious pursuant to the determination of this section. The determination of viciousness of such dogs shall be as follows: In the event that the police or authorized individual(s) of the city has probable cause to believe that a dog is dangerous, as defined in section 4-2-1 of this chapter, the police officer or authorized individual(s) is hereby empowered to seize and impound such dog. In the event the owner refuses to surrender the dog to the police or authorized individual(s), the police officer or authorized individual(s) may employ any legal means to seize the dog. If any such dog cannot be safely seized and impounded, the police officer or authorized individual(s) may forthwith slay such dog. The police or authorized individual(s), upon so impounding or slaying any such dog, shall record, in the book to be kept for the purpose, the date thereof, the description of such dog and the license number, if wearing a license.

B. Violation; Penalties: Any person who is found guilty of owning or harboring or has in his/her possession a "vicious dog", as defined in section 4-2-1 of this chapter, shall be guilty of a misdemeanor, punishable as provided in subsection 1-4-1A of this code. (Ord. A-171, 3-11-2009)

4-2-5: NUISANCE DOGS:

A. It shall be unlawful for any person or persons keeping, harboring, possessing, caring for or having any custodial duties over any dog to fail to exercise proper care and control of such dog to prevent it from becoming a public nuisance. Such person or persons shall be guilty of allowing such dog to become a public nuisance when the dog:

1. Makes excessive, continuous, or untimely barking or other noise.
2. Molests pedestrians or chases motor vehicles.
3. Trespasses upon public or private property in such a manner as to damage the property.
4. Discharges feces upon public property or private property without the consent of the owner of such property.
5. Is repeatedly at large.

B. No person owning or having the care, custody, possession or control of a dog shall:

1. Fail to have in his/her possession the equipment necessary to remove his/her dog's fecal matter when accompanied by said dog in any park or public pathway.
2. Fail to remove the fecal matter deposited by his/her dog in any park or public pathway before the owner leaves the immediate area where the fecal matter was deposited.

C. No person owning or having the care, custody, possession, or control of a dog shall permit or allow such dog to enter the playground/water feature areas at any municipal park at any time.

D. This section shall not apply to:

1. Police officers and their service animals during the official performance of their duties;
2. Handlers of search and rescue animals during the official performance of their duties; or
3. Persons with disabilities utilizing assistance animals.

(Ord. A-171, 3-11-2009)

## **DISTURBING THE PEACE**

### **4-3-3: DISTURBING THE PEACE:**

#### **A. Definition:**

1. Every person who disturbs the peace or quiet of any neighborhood, family or person, by loud or unusual noise, or by tumultuous or offensive conduct, or by threatening, traducing, quarreling, challenging to fight or fighting, or fires any gun or pistol, or uses any vulgar, profane or indecent language within the presence or hearing of children, in a loud and boisterous manner, is guilty of a misdemeanor.

2. Every person who disturbs the dignity or reverential nature of any funeral, memorial service, funeral procession, burial ceremony or viewing of a deceased person is guilty of a misdemeanor. (Idaho Code § 18-6409)

**B. Penalty:** Any person or persons who shall engage in and/or commit any of the offenses set forth in subsection A of this section shall be guilty of disturbing the peace and, upon conviction thereof, shall be punishable as provided in section 1-4-1 of this code. (1959 Code § 5-702)

**C. Enforcement:** The city marshal is hereby authorized to arrest or cause to be arrested any person found guilty of violating any of the provisions of this section. Any person may make a complaint against any offender of the provisions of this section, and the city marshal is hereby instructed to investigate the same and to arrest any offender so complained against. (1959 Code § 5-703)

## **MINORS**

### **4-4-1: CURFEW:**

#### **A. Age And Hour Restrictions:**

1. It shall be unlawful for any person under sixteen (16) years of age to remain or loiter upon any street or alley or other public place in the city between the hours of twelve o'clock (12:00) midnight and five o'clock (5:00) A.M., unless such person is accompanied by a parent or guardian or other person having custody of such minor, or unless in the performance of a duty directed by such parent, guardian, or other person having custody, or unless

such person is in lawful employment making it necessary to be in such place between the hours of twelve o'clock (12:00) midnight and five o'clock (5:00) A.M., or unless such person is lawfully traveling to and from a place of employment or a lawful social activity.

2. It shall be unlawful for any minor child from the age of sixteen (16) years to, but not including, eighteen (18) years to remain or loiter upon any street or alley or other public place in the city between the hours of one o'clock (1:00) A.M. and five o'clock (5:00) A.M., unless such person is accompanied by a parent or guardian or other person having custody of such minor, or unless in the performance of a duty directed by such parent, guardian, or other person having custody, or unless such person is in lawful employment making it necessary to be in such place between the hours of one o'clock (1:00) A.M. and five o'clock (5:00) A.M., or unless such person is lawfully traveling to and from a place of employment or a lawful social activity.

B. Responsibility Of Legal Custodian: It shall be unlawful for anyone having the legal care and custody of any person as described in subsection A of this section to allow or permit such person to remain or loiter upon any public street, alley, or any other public place in the city as restricted in subsection A of this section except in case of necessity.

C. Penalties: Any person violating any of the provisions of this section shall, upon conviction hereof, be punishable as an infraction as set forth in Section 1-4-1B.

## **COMBUSTIBLE MATERIALS**

### **4-5-3: COMBUSTIBLE MATERIALS:**

A. Deposit Of Hot Ashes And Other Combustible Materials: Ashes, smoldering coals or embers, greasy or oily substances and other matter liable to spontaneous ignition shall not be deposited or allowed to remain within ten feet (10') of any combustible materials or construction made up of combustible materials. (1959 Code § 6-402)

B. Accumulation Of Combustible Refuse:

1. No person shall permit to remain upon any roof or in any court, yard, vacant lot or open space any accumulation of wastepaper, hay, grass, straw, weeds, litter or combustible

or inflammable waste or rubbish of any kind.

2. Every person making, using, storing or having charge or control of any shaving, excelsior, rubbish, sacks, bags, litter, hay, straw, or combustible trash shall remove or cause to be removed the same at least once every twenty four (24) hours and disposed of in a safe manner. (1959 Code § 6-403)

### **OBEDIENCE TO SIGNS**

4-6-1: OBEDIENCE TO SIGNS: It shall be unlawful for any person to fail to obey a sign erected by any political subdivision or the State of Idaho within the City of Marsing. The penalty for a violation is an infraction, which shall be punished by a fine of \$100.00, which does not include court costs.

### **LARGE VEHICLE RESTRICTIONS**

5-2-2: LARGE VEHICLE RESTRICTIONS:

A. It is unlawful for any person to drive or operate any vehicle in excess of twenty six thousand (26,000) pounds' gross weight capacity upon any street or highway within the city, except:

1. On State Highway 55;
2. On State Highway 78; and
3. On Bruneau Highway.

B. It is further provided that:

1. No vehicle in excess of twenty six thousand (26,000) pounds' gross weight capacity or licensed capacity shall be allowed to drive, operate, or park on any street within the corporate limits of the city other than for the purpose of loading or unloading cargo or while lodging temporarily at any hotel, motel or bed and breakfast.

2. Commercial and wholesale delivery vehicles will be permitted to make home or retail delivery or pick up to places at any location within the city.

3. Emergency vehicles, street maintenance equipment operated by a public entity, and vehicles which, because of inclement road conditions, are directed by a public authority or its agents to utilize alternate routes through

the city are exempted from the prohibitory provisions of this section.

4. Signs designating these regulations shall be erected and maintained at each end of the state highways within the city and at intersections with the state highways within the city. (Ord. A-149, 8-10-2005)

## **PARKING REGULATIONS**

### **5-3-3: GENERAL PARKING RESTRICTIONS AND PROHIBITIONS:**

#### **B. Parking In Alleys Or Lanes:**

1. Definition: The term "alley" or "lane", when used in this subsection, shall mean a passageway open to public travel, not more than thirty feet (30') wide, which affords, generally, a secondary means of vehicular access to abutting lots and is not intended for general traffic circulation.

2. Restrictions: No person shall stop, stand or park a motor vehicle in or upon an alley for a period of time longer than reasonably necessary for the purpose of loading or unloading a vehicle.

3. Penalties: Any person convicted of violating this subsection shall be guilty of a misdemeanor and shall be punishable as provided in subsection 1-4-1A of this code, together with the costs of the proceedings. (Ord. A-103, 6-13-1990)

C. Parking, Driving On Sidewalks: No vehicle shall travel or park upon any sidewalk; provided, that a vehicle may cross sidewalks at authorized curb cuts and at alleys. (1959 Code § 10-116)

D. Parking With Offensive Loads: It shall be unlawful to park any vehicle on city streets when such vehicle is loaded with any material that is offensive to human smell. (1959 Code § 10-148)