

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35
- 36
- 37
- 38
- 39
- 40
- 41

B. *Hour limitation.* No person who owns or has possession, custody or control of any trailer or vehicle shall park or leave standing any such vehicle on any public road, street, alley, or city property for 48 or more consecutive hours, and any vehicle so parked or left standing may be impounded and remove by the police. For purposes of impoundment and removal, the police may impound and remove any vehicle which reasonably appears to have remained unmoved for 48 consecutive hours. The cost of impoundment and removal shall be charged to the owner or any person who claims the impounded vehicle. These restrictions are only effective during the same time limitations stated in subsection A of this section.

WHEREAS, City staff recommends the following amendments:

**PCC 6-2-8 Winter Regulations**

*A. Night Parking.*

1. It shall be unlawful for the driver or owner of any vehicle to park any vehicle or equipment on any street or right-of-way within eight feet of the pavement in the city beginning 24 hours after the first measurable snowfall or ~~November 1~~ November 15th, whichever comes earlier, of each year and ending April 15 of the following year, between the hours of ~~11:00 pm and 10:00 a.m. the next day~~ 1:00 am and 9:00 am for a period of time longer than three minutes when loading or unloading passengers. This subsection shall not apply to doctors on house calls, emergency vehicles, or vehicles used in the repair of utilities.

2. It shall be unlawful to park or leave parked any vehicle upon the paved portion of a city street, while snowplows are operating or while streets are snow or ice covered; excluding around school buildings while school is either in session or holding official school activities.

3. The city will not be liable for any damage occurring to any vehicle or equipment parked on any street or right-of-way, during street and right-of-way maintenance. Therefore, the owner of any vehicle parked in violation of this Section 2-8 shall be liable for any and all loss, damage, or injury of any kind sustained by the owner, the City, or any other person as a result of the vehicle being parked in violation of this Section 2-8, including without limitation as a result of any plowing or snow cleaning efforts of the City or others, and the owner shall fully indemnify the City against and hold the City harmless from any such loss, damage, or injury

4. Vehicles which have been plowed around for more than 48 hours will be presumed to be abandoned or in continued violation of the section and shall be subject to removal. All costs of removal of said vehicle(s) will be solely borne by the owner of the subject vehicle.

~~B. Hour limitation. No person who owns or has possession, custody or control of any trailer or vehicle shall park or leave standing any such vehicle on any public road, street, alley or city property for 48 or more consecutive hours, and any vehicle so parked or left standing may be impounded and remove by the police. For purposes of impoundment and removal, the police may impound and remove any vehicle which reasonably appears to have remained unmoved for 48 consecutive hours. The cost of impoundment and removal shall be charged to the owner or any person who claims the impounded vehicle. These restrictions are only effective during the same time limitations stated in subsection A of this section.~~

82 *B. Snow Removal.* In addition to the restrictions found in PCC 6-2-8, it shall be  
83 unlawful for any person removing snow from any parking lot, driveway, or  
84 sidewalk to push, blow, or otherwise deposit such snow onto the roadway of any  
85 public street or push it across said roadway in such a manner as to leave a  
86 residue or otherwise increase the amount of snow on the roadway.

87 *C. Violation.* Any person who violates any of the provisions of PCC 6-2-8 shall be  
88 guilty of an infraction, and upon conviction shall be subject to a penalty and fine.

89 And,

90 WHEREAS PCC 6-2-6 Certain Purposes Prohibited currently reads:

91 **6-2-6 Certain Purposes Prohibited**

92 No person shall park a vehicle upon any roadway or right-of-way for the principal  
93 purpose of:

- 94 1. *Displaying for sale.* Displaying such vehicle for sale;
- 95 2. *Repairs.* Greasing or repairing such vehicle, except repairs necessitated by  
96 an emergency;
- 97 3. *Advertising.* Displaying advertising;
- 98 4. *Merchandise sales.* The sale of foodstuffs or other merchandise in any  
99 business district; or
- 100 5. *Hour limitation.* No person who owns or has possession, custody or control  
101 of any trailer or vehicle shall park or leave standing any such vehicle on  
102 any public road, street, alley or city property for 48 or more consecutive  
103 hours and any vehicle so parked or left standing may be impounded and  
104 removed by the police. For purposes of impoundment and removal, the  
105 police may impound and remove any vehicle which reasonably appears to  
106 have remained unmoved for 48 consecutive hours. The cost of  
107 impoundment and removal shall be charged to the owner or any person  
108 who claims the impounded vehicle.

109 WHEREAS, City Staff recommends the following amendments:

110 **6-2-6 Certain Purposes Prohibited**

111 No person shall park a vehicle upon any roadway or right-of-way for the principal  
112 purpose of:

- 113 1. *Displaying for sale.* Displaying such vehicle for sale;
- 114 2. *Repairs.* Greasing or repairing such vehicle, except repairs necessitated by  
115 an emergency;
- 116 3. *Advertising.* Displaying advertising;
- 117 4. *Merchandise sales.* The sale of foodstuffs or other merchandise in any  
118 business district; or



5. *Hour limitation.* No person who owns or has possession, custody or control of any trailer or vehicle shall park or leave standing any such vehicle on any public road, street, alley or city property for 48 or more consecutive hours and any vehicle so parked or left standing may be impounded and removed by the police. For purposes of impoundment and removal, the police may impound and remove any vehicle which reasonably appears to have remained unmoved for 48 consecutive hours. The cost of impoundment and removal shall be charged to the owner or any person who claims the impounded vehicle.

~~6. *Night Parking.* It shall be unlawful for the driver or owner of any trailer, RV, motor home, camper, or non-motorized equipment to be on any street or right-of-way within eight feet of the pavement in the city between the hours of 11:00 pm and 7:00 am year-round. This subsection shall not apply to doctors on house calls, emergency vehicles, or vehicles used in the repair of utilities.~~

WHEREAS, the current fine for winter parking is only \$25, it is recommended that it be raised to \$50, to further discourage violations.

WHEREAS, PCC 6-2-8(B) *Hour Limitation* is also found in PCC 6-2-6, it is recommended that it be removed from PCC 6-2-8 to eliminate unnecessary duplication.

WHEREAS, City Council motions to approve the Ordinance granting the amendment to Providence City Code 6-2-8 & 6-2-6

THEREFORE, be it ordained by the Providence City Council

- The above referenced code amendment shall be approved with the following changes:
  - PCC 6-2-8(A)(1) shall now have the date of November 15<sup>th</sup> and the hours of 1 am and 9 am.
  - PCC 6-2-8(A)(4) shall include the additional wording of ‘for more than 48 hours’.
  - PCC 6-2-6 *Night Parking* shall be tabled and discussed at a later date.
- This ordinance shall become effective immediately upon passage and posting or 30 days after final passage, whichever is closer to the date of final passage.

Passed by vote of the Providence City Council this 18th day of October 2023.

Council Vote:

Nebeker, Jeff	(X) Ye	( ) No	( ) Excused	( ) Abstained	( ) Absent
Kirk, Carrie	(X) Ye	( ) No	( ) Excused	( ) Abstained	( ) Absent
Paulsen, Joshua	(X) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent

162 Sealy, Jeanell (X) Yes ( ) No ( ) Excused ( ) Abstained ( ) Absent  
163 Speth, Brent (X) Yes ( ) No ( ) Excused ( ) Abstained ( ) Absent

164

165

166

167

168

169 Kathleen Alder, Mayor

170

171 Attest:

172

173 Tyler Cameron, Recorder