

Chapter 5: Parking Offenses Subject to City Penalty

- 5.1 Parking Regulations.** Parking violations shall be charged and collected upon a simple notice of a fine payable to the Clerk. The fine for each violation charged under a simple notice of a fine shall be established by this Chapter.
- 5.2 Alternative Relief.** Seeking a simple parking penalty as authorized in 5.1 of this chapter does not preclude the City from seeking alternative relief in the same action. Such alternative relief may include, but is not limited to, criminal penalties as authorized by 3.1 of this Code, any municipal infraction authorized by Chapter 4.1 of this code, or injunctive relief sought in a court of law, and any administrative action or abatement by city authorized in Chapter 8 of this code.
- 5.3 Official Responsible for Issuing Violations.** Any person authorized by the City to enforce the City Code may issue a simple notice of a fine to any person committing a parking violation.
- 5.4 Contested Parking Tickets.** Contested parking tickets shall be charged in the District Court the same as other traffic violations. Under Iowa Code 321.236(1)(a), filing fees and court costs shall be assessed in these cases as provided in Iowa Code section 602.8106(1) and Iowa Code section 805.6(1), paragraph “a” for parking violation cases. The party contesting the violation shall deliver notice in writing to the Clerk as notice that the parking ticket is being contested.
- 5.5 Funds Retained by City.** All fines collected by the City pursuant to this Chapter shall be retained by the City and shall be deposited into the General Fund.
- 5.6 Refusal of Registration of Vehicle.**
- A.** Upon an agreement between the City and County conforming to Chapter 321.236(1)(d), the County Treasurer shall refuse to renew the registration of a vehicle registered to an applicant if the County Treasurer knows that the applicant has one or more uncontested, delinquent parking tickets issued by the City.
 - B.** The Clerk shall take the appropriate steps to notify the County Treasurer of any uncontested parking tickets which are more than three months’ delinquent and the Council may enter into an agreement with the County Treasurer related to the collection of uncontested parking tickets.
 - C.** Every simple notice of fine shall contain the following statement:

1. FAILURE TO PAY RESTITUTION OWED BY YOU CAN BE GROUNDS FOR REFUSING TO RENEW YOUR MOTOR VEHICLE'S REGISTRATION.

5.7 **Parking Violations and Fines.** The following violations shall be unlawful and shall be subject to a fine as provided.

- A. **Adjacent to Curb – Two-Way Street.** No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the right-hand wheels of the vehicle within twelve (12) inches of the curb or edge of the roadway except as hereinafter provided in the case of angle parking and vehicles parked on the left-hand side of one-way streets. The fine for this violation shall be \$25.
- B. **Adjacent to Curb – One-Way Street.** No person shall stand or park a vehicle on the left-hand side of a one-way street other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the left-hand wheels of the vehicle within eighteen (18) inches of the curb or edge of the roadway except as hereinafter provided in the case of angle parking. The fine for this violation shall be \$25.
- C. **Angle Parking.** Upon those streets or portions of streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway or in the center of the roadway as indicated by such signs and markings. No part of any vehicle, or the load thereon, when parked within a diagonal parking district, shall extend into the roadway more than a distance of nineteen (19) feet when measured at right angles to the adjacent curb or edge of roadway. The fine for this violation shall be \$25.
- D. **Upon a Public Way.** No person shall stand or park a vehicle upon a public way for more than forty-eight (48) hours, unless the vehicle has been moved a minimum of twenty (20) feet during the course of that forty-eight (48) hours. The fine for this violation shall be \$25.
- E. **Crosswalk.** No person shall stand or park a vehicle within ten (10) feet of a crosswalk. The fine for this violation shall be \$25.
- F. **Sidewalks.** No person shall stand or park a vehicle on or across a sidewalk. The fine for this violation shall be \$25.
- G. **Driveway.** No person shall stand or park a vehicle in front of a public or private driveway. The fine for this violation shall be \$25.

- H. Intersection.** No person shall stand or park a vehicle within an intersection of streets. The fine for this violation shall be \$25.
- I. Fire Hydrant.** No person shall stand or park a vehicle within five (5) feet of a fire hydrant. The fine for this violation shall be \$25.
- J. Stop Sign or Signal.** No person shall stand or park a vehicle within twenty-five (25) feet upon the approach to any flashing beacon, stop or yield sign, or traffic control signal located at the side of a roadway. The fine for this violation shall be \$25.
- K. Excavations.** No person shall stand or park a vehicle alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic. The fine for this violation shall be \$25.
- L. Double Parking.** No person shall stand or park a vehicle on the roadway side of any vehicle stopped or parked at the edge or curb of a street. The fine for this violation shall be \$25.
- M. Using More Than One Space.** No person shall stand or park a vehicle in any designated parking space so that any part of the vehicle occupies more than one such space or protrudes beyond the markings designating such space. The fine for this violation shall be \$25.
- N. Direction of Traffic.** No person shall stand or park a vehicle upon a street in a direction opposite to that in which traffic normally moves upon that half of the roadway on which the vehicle is stopped or parked. The fine for this violation shall be \$25.
- O. No Parking Areas.** No person shall stand or park a vehicle upon a street in an area that the City has designated as a “No Parking Area.” No parking areas may be designated by the City and properly posted by signage limiting parking to one side of the street or limiting hours during which parking may occur or otherwise prohibiting parking along a portion of the street. The fine for this violation shall be \$25.
- P. Snow Emergency Parking.** No person shall park, abandon or leave unattended any vehicle on any public street, alley, or City-owned or leased off-street parking area during any snow emergency for a forty-eight (48) hour period after cessation of such storm. The fine for this violation shall be \$25.

- Q. Parking for Persons with Disabilities.** Parking spaces may be designated by the City for use only by persons with disabilities, provided appropriate signage is posted. Persons with disabilities must display documentation of official status as a person with a disability by displaying an official removable windshield placard, plate, or sticker. The fine for this violation shall be \$100.
- R. Parking Within the Safety Easement.** No person shall stand or park a vehicle or any portion thereof, within the area ten and one half feet (10.5) from the curb face, or where there is no curb, from the edge of the street pavement. The fine for this violation shall be \$25. The following exceptions shall apply:
1. Parking areas located entirely within the public right-of-way and not extending onto the adjacent property, and constructed of an improved surface such as concrete, asphalt, laid brick, or other impervious material, and in use before July 1, 2018 shall be considered a nonconforming permitted use. These parking areas shall not be repaired, reconstructed, or replaced. Upon deterioration into a condition of disrepair or nuisance, the City will remove the parking area from the public right-of-way. These parking areas shall not constitute a traffic safety hazard.
 2. Qualified exceptions may be made in residential districts, which allow personal vehicles to be parked in the area ten and one half feet (10.5) from the curb face, or where there is no curb, from the edge of the street pavement, under the following conditions:
 - a. Upon the approval of the City Council, a residential right-of-way parking permit may be issued for a single personal vehicle, excluding recreational vehicles, to be parked within the Safety Easement.
 - b. Prior to issuance of a residential right-of-way parking permit, the Council shall find that handicap accessibility is not adequately provided or other irremediable site characteristics exist which make other parking alternatives unsuitable.
 - c. All vehicles stored in the Safety Easement under a residential right-of-way parking permit must be located on an improved surface such as concrete, asphalt, laid brick, or other impervious material.
 - d. No vehicle authorized to park in the Safety Easement under a residential right-of-way parking permit shall be parked or stored in a manner which limits or blocks pedestrian access to a sidewalk within the public right-of-way.

- e. The residential right-of-way permit will be issued at no cost.
- S. Recreational Vehicles.** Recreational vehicles and boats hauled on a trailer equipped to a conforming vehicle may be parked on a public street or way as necessary for loading or unloading for periods not exceeding 24 hours. The fine for this violation shall be \$25.
- T. Inoperable Vehicles.** The parking or storage of inoperable vehicles is prohibited on any lot or any public street or way, except in enclosed buildings or where otherwise permitted by this Zoning Code. The fine for this violation shall be \$25 per violation.
- U. Non-Motorized Vehicles.** The storage or parking of any non-motorized vehicle, other than those equipped to motorized vehicles necessary for normal operation, in any public way, right-of-way, or in any required front yard or side yard shall not be permitted, except in the case of conforming commercial uses. The fine for this violation shall be \$25 per violation.
- V. Oversized Vehicles.** Oversized Vehicles, as defined by Chapter 9, shall not be stored on any lot, except in enclosed buildings or garages, or on any public street or way within a residential zoning district. The fine for this violation shall be \$25 per violation.
- W. Off-Road Vehicles.** Off-Road Vehicles, as defined by Chapter 9, shall not be stored on any lot, except in enclosed buildings or garages, or on any public street or way within a residential zoning district. The fine for this violation shall be \$25 per violation.
- X. Post Office Boxes.** The parking or storage of vehicles, in a manner which inhibits the delivery of mail and requires mail carriers to leave their vehicle to deliver mail shall be unlawful.
- Y. Preventing or Inhibiting Ingress/Egress.** The parking or storage of vehicles, in a manner which inhibits or prevents the proper ingress or egress to any real property shall be unlawful.
- Z. Penalty for Late Payments.** The fine set forth in 5.6(A) through 5.6(Y) may be increased by five dollars if the parking violation is not paid within thirty (30) days of the date upon which the violation occurred.
- AA. Penalty for Habitual Violators.** The fine set forth in 5.6(A) through 5.6(V) may be doubled if the person receiving the simple notice of violation has committed three or more violations in the previous year from the date of the most recent violation.

- 5.8 Towing of Vehicles.** Any vehicle creating a parking violation which is maintained for more than twenty-four (24) hours may be towed. Any parking violation which is an immediate danger or which impedes traffic may be towed immediately upon reasonable attempt to locate the owner. All costs for such towing will be paid by the vehicle owner.