

## ORDINANCE NO. 1311

AN ORDINANCE to amend Chapter 15 "Traffic Regulations," Article 3 "Parking," of Ordinance No. 1000, being the Municipal Code of the City of Chadron, Nebraska, to add Sections 15-323 "Snow Emergency Routes; Definitions," Sections 15-324 "Establishment of Snow Emergency Routes," Sections 15-325 "Emergency Declarations by City Manager or Public Works Director," Sections 15-326 "Provisions Temporarily Effective Take Precedence," Sections 15-327 "Prohibition of Parking on Snow Emergency Routes," Sections 15-328 "Operation of Vehicles on Snow Emergency Routes," Sections 15-329 "Removal of Parked, Stalled or Stuck Vehicles," Sections 15-330 "Obstruction of View of Drivers"; to repeal all Ordinances and parts of Ordinances in conflict herewith; directing the publication of this Ordinance and prescribing the time when this Ordinance shall be in full force and effect.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CHADRON, NEBRASKA:

Section 1. Chapter 15 "Traffic Regulations," Article 3 "Parking," of Ordinance No. 1000, being the Municipal Code of the City of Chadron, Nebraska is hereby amended by adding Sections 15-323 through 15-330 and shall read as follows:

### §15-323 SNOW EMERGENCY ROUTES; DEFINITIONS.

The term *SNOW EMERGENCY ROUTES*, as used in this section, shall mean those streets established as such in accordance with the provisions of this section.

### §15-324 ESTABLISHMENT OF SNOW EMERGENCY ROUTES.

The Mayor and City Council are hereby authorized to establish snow emergency routes upon any street or highway of the City and may place appropriate signs, marks, lines, signals or other traffic-control devices indicating the existence of the snow emergency routes. The designation of any street, highway or portion thereof as a snow emergency route shall in no way affect any previous designation of that street or highway as an arterial or other road designation.

### §15-325 EMERGENCY DECLARATIONS BY CITY MANAGER OR PUBLIC WORKS DIRECTOR.

(A) The City Manager or Public Works Director shall publicly announce each declaration of a snow emergency made pursuant to this chapter by means of broadcast or telecast from broadcasting stations with a normal operating range covering the City and in newspapers of general circulation when so desired. Each announcement shall describe the action taken by the City Manager or Public Works Director, including the time it became or will become effective, and shall specify the streets or areas affected.

(B) The City Manager or Public Works Director may declare the prohibition terminated, in whole or in part, effective immediately upon announcement or at a later specified time.

#### §15-326 PROVISIONS TEMPORARILY EFFECTIVE TAKE PRECEDENCE.

Any provision of this chapter which becomes effective by order or declaration of the City Manager or Public Works Director upon the occurrence of a snow emergency, while temporarily in effect, shall take precedence over other conflicting provisions of law normally in effect, except that it shall not take precedence over provisions of law relating to traffic accidents, emergency travel of authorized emergency vehicles or emergency traffic directions by a Police Officer, or other person designated by the Chief of Police.

#### §15-327 PROHIBITION OF PARKING ON SNOW EMERGENCY ROUTES.

The City Manager or Public Works Director may order a parking prohibition on all snow emergency routes by declaring that an emergency exists on the basis of falling snow, sleet, freezing rain or official forecast by the U.S. Weather Service of snow, sleet, freezing rain or other weather conditions making it necessary that parking on a snow emergency route be prohibited for snow plowing or other purposes. In such declaration, the City Manager or Public Works Director shall state the time that the emergency shall be in effect. It shall be unlawful for any person to park or allow to remain parked any vehicle on any portion of a snow emergency route during a parking prohibition affecting such streets. Once in effect, the parking prohibition imposed under this section shall remain in effect until terminated by the City Manager or Public Works Director. However, nothing in this section shall be construed to permit parking at any time or place where it is forbidden by any other provision of law.

#### §15-328 OPERATION OF VEHICLES ON SNOW EMERGENCY ROUTES.

Whenever an emergency has been declared pursuant to this subchapter, no person operating a motor vehicle on a designated snow emergency route shall allow the motor vehicle to become stalled or stuck, including those motor vehicles which become stalled or stuck due to the fact that the motor fuel supply is exhausted or the battery has become inoperative. Whenever a motor vehicle becomes stalled or stuck for any reason on any designated snow emergency route on which there is a parking prohibition in effect, the person operating the motor vehicle shall take immediate action to have the motor vehicle towed or pushed off the roadway of the designated snow emergency route, either to the nearest cross street which is not subject to a parking prohibition or to another appropriate location. No person shall abandon or leave a motor vehicle in the roadway of a designated snow emergency route except for the purpose of securing assistance during the actual time necessary to go to nearby telephone, garage, service station or other place of assistance and return without delay.

§15-329 REMOVAL OF PARKED, STALLED OR STUCK VEHICLES.

(A) Members of the Police Department are hereby authorized to remove or have removed a vehicle from a street or City-owned or operated parking facility to the Police Department impound lot, or other place designated by the Police Department when one or more of the following occur.

(1) The vehicle is parked on a snow emergency route on which a parking prohibitions is in effect.

(2) The vehicle is stalled on a snow emergency route on which there is a parking prohibition in effect, and the person who is operating the vehicle does not appear to be removing it in accordance with the provisions of this section.

(B) The owner or other person lawfully entitled to the possession of any vehicle towed or stored shall be charged with the reasonable cost of towing and storage fees. Any such towing or storage fee shall be a lien upon the vehicle prior to all other claims. Any person towing or storing a vehicle shall be entitled to retain possession of the vehicle until the charges are paid. The lien provided for in this section shall not apply to the contents of the vehicle.

§15-330 OBSTRUCTION OF VIEW OF DRIVERS.

Snow shall not be moved or piled on any location upon private property which obstructs the view of drivers of motor vehicles at intersections within the corporate limits of the City. Property owners or residents who have caused snow to be piled in such a manner as to obstruct the view of motor vehicle drivers at intersections as described above shall be contacted to remove the snow, and should they fail to comply within 24 hours from the date of the request being made, the snow shall be removed by the City at the property owner's expense.

*(Neb. Rev. Stat. 16-246)*

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

Passed, approved, and ordered published this 21<sup>st</sup> day of April, 2008.

CITY OF CHADRON

/s/ Donald C. Grantham  
Mayor

ATTEST:

/s/ Donna J. Rust  
City Clerk

(S E A L)