

ORDINANCE NO. 23-23

AN ORDINANCE OF SOUTH OGDEN CITY, UTAH, REVISING AND AMENDING VARIOUS SECTIONS CITY CODE 6-1-5 TO CLARIFY PARKING REGULATIONS; MAKING NECESSARY LANGUAGE CHANGES TO THE CITY CODE TO EFFECT THOSE CHANGES; AND ESTABLISHING AN EFFECTIVE DATE FOR THOSE CHANGES.

SECTION I - RECITALS:

WHEREAS, South Ogden City ("City") is a municipal corporation duly organized and existing under the laws of Utah; and,

WHEREAS, the City Council finds that in conformance with Utah Code ("UC") §10-3-717, and UC §10-3-701, the governing body of the city may exercise all administrative and legislative powers by resolution or ordinance; and,

WHEREAS, the City Council finds that in conformance with UC § 10-3-702, the City may pass any ordinance to regulate, require, prohibit, govern, control or supervise any activity, business, conduct or condition authorized by State law or any other provision of law; and,

WHEREAS, the City Council finds that under UC §10-3-707, the City is "empowered to revise, codify and compile from time to time and to publish in book, pamphlet or loose leaf form all ordinances of the municipality of a general and permanent character and to make such changes, alterations, modifications, additions, and substitutions therein as it may deem best to the end that a complete simplified code of the ordinances then enforced shall be presented, but with errors, inconsistencies, repetitions, and ambiguities therein eliminated"; and,

WHEREAS, the City Council finds that changes to the City Code should be made to update parking regulations; and,

WHEREAS, the City Council finds that the public safety, health and welfare is at issue and requires action by the City as noted above;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH OGDEN CITY, UTAH that the City Code be changed and amended as follows:

AMENDED SECTION:

Upon the adoption of this Ordinance, 6-1-5 of the South Ogden City Code is readopted with the changes set out in **Attachment "A"**, which is incorporated herein, to read as indicated.

The foregoing recitals are fully incorporated herein.

SECTION II - REPEALER OF CONFLICTING ENACTMENTS:

All orders, ordinances and resolutions regarding the changes enacted and adopted which have been adopted by the City, or parts, which conflict with this Ordinance, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part, repealed.

SECTION III - PRIOR ORDINANCES AND RESOLUTIONS:

The body and substance of any and all prior Ordinances and Resolutions, with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

SECTION IV - REPEALER OF CONFLICTING ENACTMENTS

All orders, ordinances and resolutions regarding the changes enacted and adopted which have been adopted by the City, or parts, which conflict with this Ordinance, are, for such conflict, repealed, except this repeal will not be construed to revive any act, order or resolution, or part, repealed.

SECTION V - SAVINGS CLAUSE:

If any provision of this Ordinance shall be held or deemed or shall be invalid, inoperative or unenforceable such reason shall not have the effect of rendering any other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Ordinance being deemed the separate independent and severable act of the City Council of South Ogden City.

SECTION VI - DATE OF EFFECT

This Ordinance shall be effective on the 19th day of December, 2023, and after publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH OGDEN CITY, STATE OF UTAH, on this 19th day of December, 2023.

SOUTH OGDEN CITY, a municipal corporation

Mayor Russell L. Porter

ATTESTED:

Leesa Kapetanov, MMC
City Recorder

ATTACHMENT “A”

ORDINANCE NO. 23-23

An Ordinance Of South Ogden City, Utah, Revising And Amending Various Sections City Code 6-1-5 To Clarify Parking Regulations; Making Necessary Language Changes To The City Code To Effect Those Changes; And Establishing An Effective Date For Those Changes.

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6-1-5: Parking Regulations

- A. **Parking Or Blocking Streets Or Highways:** In addition to the parking provisions contained in the Utah traffic code, as adopted by this city, it shall be unlawful for any person to:
1. Remain standing, lying or sitting on any street or highway in such a manner as to obstruct the free passage of vehicular or pedestrian traffic thereon.
 2. ~~Willfully~~Willfully remain standing, lying or sitting on any street or highway in such manner for more than one minute after being requested to move by any police officer.
 3. ~~Willfully~~Willfully remain on such street or highway in such manner as to obstruct the free passage of any person or vehicle into or out of any property abutting upon the street or highway or any property having access to such street or highway. (Ord. 676, 11-11-1980)
- B. **Vehicles For Sale:** It shall be unlawful to park upon a street any vehicle, trailer or boat for the principal purpose of displaying such object for sale.
- C. **Vacant Lots or Parking Lots Used As Car Lots:**
1. It shall be unlawful for the owner of a motor vehicle, trailer or boat, or for any other person to park such vehicle, trailer or boat, or allow such vehicle, trailer or boat to be parked on a vacant lot or parking lot owned by another person for the purpose of displaying it for sale, unless the owner or lessee of the property on which it is parked has a city business license to engage in the business of selling motor vehicles, trailers or boats at that location. It shall also be unlawful for the owner or lessee of such property to allow another person to park another vehicle, trailer or boat on the property for the purpose of displaying it for sale unless the owner or lessee is duly licensed to engage in the business of selling motor vehicles, trailers or boats at that location. (Ord. 872, 10-3-1995)
 2. Any vehicle, trailer or boat parked in violation of this section is declared to be a public nuisance. If a notice of violation has been placed upon such vehicle, trailer or boat and it is not removed within twelve (12) hours thereafter, or if two (2) or more notices of violation have been placed on the same vehicle, trailer or boat within the last thirty (30) days, the vehicle, trailer or boat shall be impounded as a nuisance. ~~The vehicle, trailer or boat shall be released to the owner or responsible party only after the police department has received a receipt for the same acknowledging responsibility of that person for the item being unlawfully parked.~~ (Ord. 872, 10-3-1995; amd. 2001 Code)
 3. A separate violation occurs each day a vehicle, trailer or boat is parked contrary to the provisions of this subsection.
 4. It shall be a defense to the owner or lessee of any parking lot or vacant lot on which vehicles have been parked in violation of this subsection, if the owner or lessee has posted signs on said lots restricting the parking of such vehicles. (Ord. 872, 10-3-1995)
- D. **Loading Zone:** When so posted, it shall be unlawful for the driver of a passenger vehicle to stand or park such vehicle for a period of time longer than is permitted by the posted sign for the loading or unloading of passengers, or for the driver to stand or park any freight-carrying motor vehicle for a period of time longer than is necessary to load, unload and deliver materials in any place designated as a loading zone and marked as such.

- E. Parking In Violation Prohibited: It shall be unlawful for any person, except physicians on emergency calls or designated emergency vehicles when properly posted, to park any motor vehicle on any street in violation of the posted restrictions.
- F. Alleys: No person shall park a motor vehicle within an alley in such manner or under such conditions as to leave less than ten feet (10') of the width of the roadway available for the free movement of vehicular traffic. No person shall stop, stand or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.
- G. Cabstands; Bus Stands: No motor vehicle other than a licensed taxicab shall be parked in any area designated by ordinance as a taxicab stand and no vehicle other than a bus shall be parked in a place so designated as a bus loading zone. (Ord. 676, 11-11-1980)

H. Specific Prohibited Parking; ~~Permit~~:

- 1. Trailers and Recreational Type Vehicles: It shall be unlawful for any person to park or leave standing ~~at any time~~ in excess of forty-eight (48) hours, on any public road, street, alley or City property any ~~unattached trailer of or any combination of a pulling or towing vehicle with an attached trailer of any type or any type whether for the occupancy of people, storage of items, or for towing purposes, and whether the same be loaded or not,~~ any boat ~~on an unattached trailer or otherwise~~, or camper not mounted on a vehicle, any motor home or mini-motor home of any length, and any combination of a pulling or ~~towing vehicle with an attached trailer whether loaded or not; provided, however, that it shall be lawful to park such a combination or a~~ any motor home or mini-motor home. ~~that is being loaded or is ready for departure for a period not to exceed twenty four (24) hours.~~
- 2. Gross Vehicle Weight: It is further unlawful and an infraction to park in any such area at any time any vehicle or motor vehicle having a registered gross weight capability of twelve thousand (12,000) pounds or more.
- 3. Time Limited: It ~~shall further be~~ is unlawful for any person to park or leave standing on any public road, street, alley or City property any motor vehicle for forty eight (48) or more consecutive hours, and any vehicle so parked or left standing may be impounded or removed by ~~the Chief of a~~ a Police Officer. ~~For purposes of impoundment and removal, the~~ The ~~Chief of~~ Police Officer may, after making a reasonable effort to locate the owner, impound and remove any motor vehicle which has been unmoved for forty eight (48) consecutive hours. The cost of impoundment and removal shall be charged to the owner or any person who claims the impounded motor vehicle.
- 4. ~~Special Permit: For good cause shown and upon application to and receipt of a special permit from the Police Department, a person may receive a temporary permit to park a vehicle otherwise prohibited for a period of three (3) days and nights.~~ (Ord. 800, 2-6-1990)

I. Parking During Snowstorms:

- 1. Prohibited:
 - a. It ~~shall be~~ is unlawful for any person who owns or has possession, custody or control of any vehicle, trailer, farm equipment or other object to park or place such item or property upon or in any street of the City from twelve (12) hours

before the time of the projected arrival of an imminent snowstorm as broadcast over any commercial radio or television station until twenty four (24) hours after the snowstorm has abated and the streets have been plowed or otherwise treated by the City. ~~between the hours of one minute after twelve o'clock (12:01) A.M. and seven o'clock (7:00) A.M. from November 1 to April 1, and~~

~~b. The prohibition on parking will be City wide and will also apply anytime from twelve (12) hours before the time of the projected arrival of an imminent snowstorm as broadcast over any commercial radio or television station until twenty four (24) hours after the snowstorm has abated and the streets have been plowed or otherwise treated by the City.~~

~~e.~~b. Properties with no driveway approach ~~are exempt from this subsection~~see subsection J(2) below.

2. Areas Affected: All areas of the City are subject to the terms of this subsection.

3. Penalty: Any person violating this subsection shall be guilty of an infraction.

~~J. Fire Hydrant: It shall be unlawful to stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger within fifteen feet (15') of a fire hydrant.~~

~~K.~~J. Lawn Or Landscape Parking Prohibited:

1. Prohibited: It ~~shall be~~is unlawful for any motor vehicle, trailer, boat, camper, recreational vehicle, ATV, UTV, or motorcycle to be parked upon any residential property in an area naturally designed to be lawn or landscape. Parking upon residential properties shall conform to residential zoning regulations outlined in title 10 chapter 17 of this Code.

2. Exceptions To Lawn Or Landscape Parking: During snow removal from public streets as outlined in subsection I(1)(~~a~~b), "Parking During Snowstorms," of this section.

3. Penalty: Any person violating this subsection shall be guilty of an infraction.

~~L.~~K. Penalty: Any person violating any portion of 6-1-5 of this code shall be guilty of an infraction.

L. Exceptions. For good cause shown the Police Department may allow an exemption for a reasonable time based on the circumstances to parking prohibited by this Title.