

WEST BOUNTIFUL CITY

ORDINANCE #482-24

AN ORDINANCE REPLACING TITLE 10.12 OF WEST BOUNTIFUL MUNICIPAL CODE RELATED TO THE STOPPING, STANDING, AND PARKING OF VEHICLES

WHEREAS, the West Bountiful City has determined the need to review and update the provisions of the West Bountiful Municipal Code dealing with Vehicles and Traffic for the purposes of improving the City's ability to enforce traffic and parking violations; and

WHEREAS, these revisions will improve the health, safety, and welfare of the residents and visitors of West Bountiful; and

WHEREAS, the City Council has the authority to adopt this ordinance pursuant to Utah Code Annotated 10-3-702, and hereby exercises its legislative powers in so doing:

NOW THEREFORE BE IT ORDAINED by the city council of West Bountiful City that the West Bountiful Municipal Code Title 10.12 be replaced as shown in exhibit A.

This ordinance will become effective upon signing and posting.

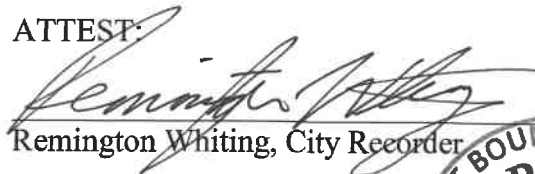
Adopted this 2nd day of April 2024.

By:


Ken Romney, Mayor

Voting by the City Council:	<u>AYE</u>	<u>NAY</u>
Councilmember Ahlstrom	☒	☐
Councilmember Butterfield	☒	☐
Councilmember Enquist	☒	☐
Councilmember Nielsen	☒	☐
Councilmember Preece	☒	☐

ATTEST:


Remington Whiting, City Recorder



Ordinance #482-24 Exhibit A

Section 10.12.010 Definitions

As used in this chapter:

1. "Vehicle" means any motor vehicle, trailer, camping vehicle, boat or watercraft, off-highway vehicle, manufactured or mobile home, or farm equipment.
2. "Public street" means the entire width of any highway, road, or street that is open to the public for purposes of vehicular traffic.

Section 10.12.020 Parking

1. It is unlawful for any person who owns or who has possession, control, or custody of any vehicle to park or permit another person to park any vehicle upon any public street within West Bountiful City:
 - a. For a period exceeding forty-eight (48) hours; or
 - b. Between the hours of midnight and seven a.m. on any day during the period from November 15th through April 1st of the following year; or
 - c. When the removal of snow from the streets is or will be reasonably apparent; or
 - d. When one of the City's authorized agencies otherwise determines and can articulate that it is reasonably necessary.
2. Any vehicle which is moved from a parking spot upon any highway in West Bountiful City and then reparked on the same or any other highway in West Bountiful City within seventy-two (72) hours from the time of said removal from the original parking space shall be deemed to have been continuously parked for the purposes of this section.
3. Exceptions to the above restrictions:
 - a. Subsection (1)(b) does not apply two (2) days prior, during, and two (2) days after the Thanksgiving and Christmas Holidays. Additionally, overnight parking of a vehicle on any street shall be allowed on New Year's Eve.
 - b. Subsections (1)(a) thru (d) do not apply to physicians, emergency medical service providers, law enforcement officers, or fire department personnel when acting within the scope of their authority.
 - c. Subsections (1)(a) thru (d) do not apply to an owner of a vehicle who does not know that his or her vehicle is parked by another in violation of the above unless that owner has been given notice of the violation and then fails to bring the vehicle into compliance within forty-eight (48) hours of his or her receiving notice.
 - d. Subsections (1)(a) thru (b) do not apply to owners or lawful possessors of vehicles who have been issued a permit for public street extended parking and display that

permit in a location in or on the vehicle that is readily visible to others outside of the vehicle.

4. As described above, residents or lawful possessors of a vehicle may apply to West Bountiful City for a permit for extended parking on a public street within West Bountiful City. West Bountiful City, for good cause shown, shall issue a permit to the applicant.

Section 10.12.030 Additional Parking Restrictions

In addition to other parking restrictions in this chapter, it shall be unlawful to park any vehicle:

1. Over, above, on, or across any public easement between the sidewalk and curbing abutting any public street or any sidewalk or portion thereof, or to otherwise park a vehicle in such a manner so as to obstruct access upon, or use of, the entire surface of any sidewalk;
2. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
3. In front of a public or private driveway or in a manner that leaves available less than ten (10) feet of the width of the roadway for free movement of vehicular traffic;
4. Within an intersection;
5. On a crosswalk or within twenty (20) feet of a crosswalk at an intersection;
6. Obstructing any designated bicycle lane;
7. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
8. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
9. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
10. Within thirty (30) feet upon the approach to any flashing signal, stop sign, yield sign or traffic control signal located at the side of a roadway;
11. On any railroad tracks;
12. On any controlled access highway;
13. In the area between roadways of a divided highway, including crossovers;
14. In any place where official traffic control devices prohibit stopping or standing;
15. Upon any street or publicly owned or controlled property or right-of-way for the principal purpose of performing maintenance or repairing such vehicle except as is necessitated by an emergency;
16. That is mechanically inoperable or cannot be lawfully operated on public streets upon any street, public right-of-way or publicly owned or controlled property;

17. On any public street except for the immediate loading or unloading of the vehicle;
18. Within fifteen (15) feet of a fire hydrant or in any fire lane or to otherwise block or obstruct any fire lane established by the county or within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite entrance to any fire station within seventy-five (75) feet of said entrance when properly sign posted;
19. On any public property other than in designated parking or obvious parking areas or as legally permissible on roadways; or
20. In any location that interferes with the delivery and monitoring of essential services, such as utilities, postal services, and refuse collection.

No person shall move a vehicle under such person's control into any prohibited area or an unlawful distance from the curb.

Section 10.12.040 Parallel Parking

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 righthand wheels of the vehicle within twelve (12) inches of the right-hand curb or edge of the roadway, or as close as practicable to the right edge of the right shoulder, except as otherwise provided in this chapter.

Section 10.12.050 Angle Parking

Angle parking shall be permitted only upon those streets or parts of streets which have signs or traffic markings indicating that angle parking is permitted. No person shall park a vehicle other than between such traffic markings or at any angle to the curb or edge of the roadway other than that indicated by such a sign or traffic markings.

Section 10.12.060 Motor Vehicle Left Unattended: Requirements

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, and removing the key, placing the transmission in "park" or the gears in "low" setting the brakes thereon; and, when standing upon any perceptible grade, turning the front wheels to the curb or side of the street.

Section 10.12.070 Parked Vehicle: Duty to Display Lights

- A. Whenever a vehicle is lawfully parked upon a street or roadway during the hours between one-half hour after sunset and one-half hour before sunrise and there is sufficient light to reveal any person or object within five hundred (500) feet upon such roadway, no lights need be displayed upon such parked vehicle.
- B. Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended, during the hours between one-half hour after sunset and one-half hour before sunrise and there is not sufficient light to reveal any person or object within five hundred (500) feet upon such roadway, such vehicle so parked or stopped shall be equipped with one or more lamps meeting the following requirements:

At least one lamp shall display a red light visible from five hundred (500) feet to the rear of the vehicle, and the location of the lamp or lamps shall always be such that at least one lamp or combination of lamps meeting the requirements of this section is installed as near as practicable to the side of the vehicle which is closest to passing traffic.

- C. Any lighted headlamps upon a parked vehicle shall be depressed or dimmed.

Section 10.12.080 Large Vehicle Parking

No person shall park any vehicle having a total gross weight, loaded or unloaded, in excess of fourteen thousand (14,000) pounds, or having a total length in excess of twenty-four (24) feet on any street, collector, or highway within the city except while actually loading or unloading cargo on or in said vehicle.

In determining the total gross weight or total length set forth herein, the length shall be measured from the most forward point of the vehicle or its load, and the length and weight of a trailer connected or attached to or in tandem with the motor vehicle shall be included.

Section 10.12.090 Stopping or Parking: Prohibited Adjacent to Schools, Narrow Streets or Near Hazardous Places

- A. The Chief of Police is authorized to erect signs indicating no parking in any of the following places:
 - 1. Upon either or both sides of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation.
 - 2. Upon any street when the width of the roadway does not exceed twenty (20) feet, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed thirty (30) feet.
- B. When official signs are erected indicating no parking in any of the places specified in subsection A of this section as authorized herein, no person shall park a vehicle in any such designated place.

Section 10.12.100 Police Officer Authorized to Move Vehicle

- A. Whenever any police officer finds a vehicle in violation of any provision of this section, such officer is authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the street or roadway.
- B. Any police officer is authorized to remove or cause to be removed to a place of safety and unattended vehicle illegally left standing upon any street, roadway, bridge or causeway in such position or under such circumstances as to obstruct the normal movement of traffic.
- C. Any police officer is authorized to remove or cause to be removed to the nearest garage or other place of safety any vehicle found upon a street or roadway when:

1. Report has been made that such vehicle has been stolen or taken without the consent of its owner; or
2. The person or persons in charge of such vehicles are unable to provide for its custody or removal; or
3. When the person driving or in control of such vehicle is arrested for an alleged offense for which the officer is required by law to take the person arrested before a proper magistrate without necessary delay.

Section 10.12.110 Notice and Impound

1. In lieu of citing an owner or lawful possessor of a vehicle for a violation of this chapter, any law enforcement or code officer may, if recorded, provide actual notice of an observed violation to the owner or lawful possessor or may provide written or verbal notice of a violation by leaving such notice on the vehicle in a location reasonably visible to someone outside the vehicle or by leaving a message for the owner or lawful possessor at his or her last known address or phone number.
2. Once notice has been provided as described above, the owner or lawful possessor of the vehicle has twenty-four (24) hours to bring the vehicle into compliance with this chapter.
3. If after the twenty-four (24) hours period has expired the vehicle in violation remains in violation of this chapter, the vehicle shall be towed and impounded at the owner's or lawful possessor's expense.
4. To protect the City from accusations of theft or damage and for the safety of City employees and towing companies, before the vehicle is towed, a law enforcement or code officer shall inventory the vehicle. The inventory shall be either video recorded or witnessed by two officers and audio recorded or otherwise documented in writing.

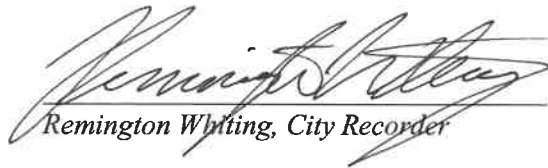
Section 10.12.120 Enforcement

This chapter may be enforced by any law enforcement officer or code officers and citations may be issued by these officers to violators in accordance with the Utah State Code.

1. A violation of any section in this chapter is a class C misdemeanor and the minimum fine is \$50.
 - a. It is a defense to a charged violation of this chapter that an owner or a lawful possessor of a vehicle parked the vehicle in violation of this chapter as a result of an emergency and that the owner or lawful possessor was reasonably unable to bring the vehicle into compliance within the time frames described above due to the ongoing emergency.

**CERTIFICATE OF PASSAGE
AND POSTING ORDINANCE**

*I, the duly appointed and acting recorder for the City of West Bountiful,
do hereby certify that the foregoing Ordinance No. 482-24 was duly
passed and posted on the Utah Public Notice Website, the City Website,
and at West Bountiful City Hall on April 9th, 2024.*


Remington Whiting, City Recorder

DATE: 04/09/24