

Chapter 11.20 Stopping Standing and Parking

11.44.010 Violation Deemed Misdemeanor--Penalty

It is a misdemeanor for a person to violate any of the provisions of this title. Any person violating a provision shall, except where another penalty is provided, be punished as set out in Section 1.12.010 of this code.

11.44.0205 Violation.

Any person engaging in the unauthorized use of streets, parking lots or other areas as provided under this chapter, shall be liable for a civil penalty. Any penalty assessed may be in addition to such other penalties as may be provided in this chapter.

"Unauthorized use of streets" or "unauthorized use" means a violation of any restriction or prohibition contained in this chapter or its successor.

Civil Penalties: Civil penalties shall be imposed as defined in the most recently adopted Fee Schedule.

11.44.040 Receipt of Notice

A. Adjudicative Procedures.

As used in this section, "receipt of notice" means either:

1. The affixing of a notice of unauthorized use to the vehicle alleged to have been employed in such violation; or
2. By delivery of such notice of unauthorized use to the owner or driver thereof.

Receipt of notice shall be issued in writing by a peace officer or duly authorized code enforcement official and contain not less than the following information:

1. The name of the person in whose name such vehicle is registered;
2. The violation cited;
3. The date and place of the violation;
4. The make of the vehicle and its license number;
5. Notice that the notice of unauthorized use must be responded to; and
6. Other information, including information related to the payments by mail or electronic means.

B. Response to Notice:

Any person to whom a notice of unauthorized use has been issued shall respond within ten (10) business days thereof by either paying the civil penalty imposed by section 11.20.170.B of this chapter in the manner provided by the receipt of notice, or contesting the notice in the manner described by subsection F of this section. Failure to request an administrative hearing within ten (10) business days following receipt of notice shall constitute a waiver of a right to an administrative hearing and of the right to appeal the notice to any applicable court.

C. Adjudicative Procedures.

Except as otherwise prescribed in this subsection (F), Salt Lake County will follow the adjudicative procedures outlined in Magna City Code when processing contested matters relating to the unauthorized use of streets.

The notice of unauthorized use shall constitute prima facie evidence that the violation alleged therein actually occurred. The adjudication shall be conducted as informally as the circumstances will allow and shall be based on the civil standard of a preponderance of the evidence.

The burden to prove any defense shall be upon the person raising such defense. The administrative law judge may find that no unauthorized use occurred and dismiss the notice.

If the administrative law judge finds that an unauthorized use occurred but one or more of the defenses set forth in this section is applicable, they may dismiss the notice and release the owner or driver from liability thereunder. Such defenses are:

1. At the time of the receipt of the notice, possession of the subject vehicle had been acquired in violation of the criminal laws of the State;
2. Compliance with the subject ordinances would have presented an imminent injury to persons or property;
3. If the administrative law judge finds that the owner of the vehicle is deceased but was living when the notice was issued;
4. If the administrative law judge finds that the vehicle was sold with the original license plates on, and the notice of unauthorized use was received prior to the sale, provided the sale is reported to the Utah Division of Motor Vehicles and the bill of sale is provided within twenty {20} days of receipt of the notice;

If the administrative law judge finds that an unauthorized use occurred but one or more of the defenses set forth in this section is applicable, the administrative law judge may reduce

the penalty associated therewith, but in no event shall such penalty be reduced below the sum of twenty-five dollars (\$25.00). Such defenses are:

1. The subject vehicle was mechanically incapable of being moved from such location; provided, however, such defense shall not apply to any vehicle which remains at such location in excess of six (6) hours;
2. Any markings, signs or other indicia of parking use regulation were not clearly visible or comprehensible;
3. At the time of the notice a responsible person receiving such notice of unauthorized use had, but failed to properly display, a special disability group license plate or placard that was valid and relevant to the notice. However, the administrative law judge may not reduce the associated civil penalty below the minimum penalty amount set forth in Utah Code Ann. § 41-1 a- 1306, or its successor section;

If the administrative law judge finds that an unauthorized use occurred and no applicable defense exists, the administrative law judge may enter into an agreement with a person who has received notice for the timely or periodic payment of the applicable penalty.

If the administrative law judge and a person who has received notice are unable to resolve the notice under the prior subsection, the administrative law judge may refer the matter to the Salt Lake County District Attorney to commence a civil action to compel enforcement of the notice in a court of competent jurisdiction.

If the penalty imposed pursuant to this chapter remains unsatisfied after forty (40) days from the receipt of notice of unauthorized use, or ten (10) days from such date as may have been agreed to by the administrative law judge, the County may use such lawful means as are available to collect such penalty, including costs and attorney fees.

11.20.050 Parking Prohibited In Specified Areas

- A.
- B. In front of or within five feet of a public or private driveway; For the purposes of this code the edge of the driveway is defined by the point where the approach apron meets the back of curb and or gutter or roadway edge in the absence of a gutter.
- C. Within 20 feet or inside the boundaries of any intersection.
- D.
- E.
- F. On or within twenty feet of a crosswalk or designated crossing;
- G.
- H.

- I.
- J.
- K.
- L.
- M.

N. Within 8 feet of a mailbox between the hours of 7:00 am and 5:00 pm

O. Parking In Disabled Parking Stalls:

1. No vehicle shall park in any parking spot designated for parking by disabled persons, unless:

- P. a. The driver or a passenger in the vehicle is disabled and the vehicle displays a disability special group license plate, temporary removable windshield placard, or removable windshield placard issued by the State, another state, territory, or foreign jurisdiction; or
- Q. b. The driver of the vehicle is parked to load or unload a passenger who is disabled and the vehicle displays a disability special group license plate, temporary removable windshield placard, or removable windshield placard issued by the State, another state, territory, or foreign jurisdiction.
- R. 2. This section shall apply to and be enforceable upon public property and on private property that is used or intended for use by the public.

11.20.090 Parallel Parking--Required—Exception

No person shall stand or park a vehicle on 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 inches of the curb or edge of the roadway, except as otherwise provided. **Parking perpendicular to a curb within a cul-de-sac is strictly prohibited.**

11.20.120 Obstructing Traffic Prohibited

11.20.130 On-Street Parking Prohibited During Snow Removal/Plowing Hours

When it is snowing or snow is on the street until snow removal or plowing from pavement edge to pavement edge is complete: ~~during the months of November, December, January, February, March and April special parking regulations will apply. On even numbered days cars shall park on the side of the street corresponding to even numbered addresses and on odd numbered days cars shall park on the side of the street corresponding to odd numbered addresses.~~

1. It is unlawful to park or leave parked any vehicle or trailer upon the City's paved roads until snow removal or plowing from pavement edge to pavement edge is complete.
2. Any vehicle parked in violation of subsection 1 of this section may be impounded and subject to a penalty. No person may recover any impounded vehicle without first paying the cost of impound and storage.

3. Vehicles which require circumvention for plowing are considered abandoned or in continued violation of this chapter and shall be subject to citation, removal, and impoundment.

11.20.140 Parking For Certain Purposes Prohibited

No person shall park or operate a vehicle upon any public property, roadway or shoulder area for the principal purposes of:

1. Greasing or repairing such vehicle, except repairs necessitated by an emergency;
2. Selling foodstuffs or other merchandise in any business district.
3. The primary purpose of displaying it for sale.