

# CITY OF DOVER

## ORDINANCE NO. 99

AN ORDINANCE OF THE CITY OF DOVER, BONNER COUNTY, IDAHO, PERTAINING TO PARKING WITHIN THE CORPORATE LIMITS OF THE CITY OF DOVER; PROVIDING FOR DEFINITIONS; RESTRICTING PARKING IN CERTAIN AREAS WITHIN THE CITY OF DOVER; RESTRICTING NUISANCE AND TRESPASS; ESTABLISHING REGISTERED OWNER RESPONSIBILITY AND EXCEPTIONS; ESTABLISHING ROAD SUPERVISOR AUTHORITY; RESTRICTING VEHICLE REPAIR OR OTHER TYPE OF WORK WITHIN CITY LIMITS; PROHIBITING PARKING OF TRUCKS, TRAILERS & OTHER VEHICLES; PROHIBITING PARKING IN DESIGNATED DISABILITY ONLY PARKING AREAS; PROHIBITING PARKING IN FIRE LANES AND FIFTEEN (15) FEET FROM ANY FIRE HYDRANT; PROVIDING FOR THE REMOVAL AND/OR STORAGE OF A VEHICLE IN VIOLATION; PROVIDING PENALTIES FOR VIOLATIONS; PROVIDING PAYMENT PROCEDURES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Dover City Council has determined that there should be certain parking restrictions in the City of Dover and that such restrictions would be in the best interest of the City and its citizens;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DOVER, IDAHO AS FOLLOWS:

SECTION 1. Definitions. In construing the provisions of this Ordinance, the following definitions shall apply:

"Street" shall mean the entire legal right of way and shall include highways, avenues, boulevards, streets, courts, alleys and all public places within the corporate limits of the City of Dover, Idaho.

SECTION 2. Restricting Parking. Where, in the public interest, the City Road Supervisor determines that various parking areas on public rights-of-way or property should have no parking, limited time duration parking or restricted hours on parking. The Road Supervisor may regulate and restrict public parking in such manner as he/she determines to be in the public interest.

SECTION 3. Nuisance and Trespass. Any vehicle parked in violation of the provisions of this Ordinance is hereby declared to be a nuisance. It is further declared that any vehicle parking on City property, including public rights-of-way in violation of this Ordinance shall be considered to be trespassing on public property.

SECTION 4. Establishment of Vehicle Ownership and Responsibility. The registered owner of the vehicle shall be deemed the party responsible for the unlawful use of such vehicle and shall be responsible for any violation as to the parking of any such vehicle.

SECTION 5. Exceptions. Any charge under this Ordinance shall be dismissed when the person charged has made a documented, bona fide sale or transfer of the vehicle prior to issuance of violation and has delivered possession thereof to the purchaser, and has advised the City within twenty (20) days of notice of the violation of the name and address of the purchaser along with proof of the date of sale.

SECTION 6. Road Supervisor: Designation and Signs.

- a. The City Road Supervisor is hereby authorized to designate such parking areas as are necessary for the purpose of limited parking for the following, but not limited to, disability parking; loading zones; bus stop zones; parking relating to emergency or medical services; or where the stopping or parking of vehicles would create hazardous conditions or cause unusual delay in traffic.
- b. The City Road Supervisor is hereby authorized to prohibit parking on streets.
- c. The City Road Supervisor is hereby authorized to erect such signs as are necessary to provide notice to the driving public of such zones.
- d. This Section shall be applicable to private property as well as public property.

SECTION 7. Repairing Vehicles on Street. No construction, repairing, overhauling, remodeling or other type of work other than in the case of extreme emergency shall be performed on any vehicle or other property upon any street, alley, park, parking lot or other public property or place within the City.

SECTION 8. Prohibited Parking: Trucks, Trailers and Other Vehicles. No person shall park or leave standing on any public street, or on a public off-street parking area, any of the following vehicles, subject to the discretion of the Road Supervisor:

- a. Any truck tractor as defined by Idaho Code.
- b. Any trailer not attached to a motor vehicle.
- c. Any bus.
- d. Farm machines.

- e. Special purpose machines.
- f. Any unlicensed vehicle.
- g. Any vehicle with an expired license.
- h. Any motor truck as defined by Idaho Code with not less than two (2) of the following three (3) features:
  - A diameter of the wheel rim of seventeen (17") inches or more;
  - More than two (2) axles;
  - More than two (2) wheels on any one axle.

SECTION 9. Disability Parking. It shall be unlawful for any person to stop, stand or park a vehicle in a designated disability parking space or area as defined in Idaho Code §49-410 unless the occupant has complied with Idaho Code §49-410. This Section shall apply to both public and private parking areas which are properly designated.

SECTION 10. Fire Lanes. It shall be a violation of this Ordinance for any vehicle to park in a fire lane and/or less than fifteen (15) feet from any fire hydrant according to International Fire Code of 2000, either on public or private property.

SECTION 11. Removal of Vehicle. The City Road Supervisor or designee may have any unlawfully parked vehicle removed and impounded by a designated towing company as posted and/or issue a citation to the registered owner. Any vehicle removed, impounded and/or stored by the designated towing company will be done so at the owner's sole responsibility, liability and expense.

SECTION 12. Penalties for Violation. Violation of any of the provisions of this Ordinance by any person, firm or corporation shall be punishable as follows:

- a. For the first offense, a warning shall be issued per vehicle per violation to the registered owner(s) of the vehicle notifying said owner of this Ordinance and of the intent to enforce this Ordinance and its provisions for future violations thereof.
- b. For the second offense, the registered owner of the vehicle shall be fined a sum not to exceed Fifty Dollars (\$50.00) plus any and all costs assessed by the Courts. Such sum shall be assessed as a penalty per vehicle per violation. The owner shall, in addition, pay any fees incurred in the removal and storage of any vehicle found to be in violation of this Ordinance for the second time.
- c. For the third and subsequent offense(s), the registered owner of the vehicle shall be fined a sum not to exceed One Hundred Dollars (\$100.00) plus any and all costs assessed by the Courts. Such sum shall

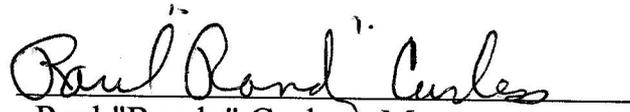
be assessed as a penalty per vehicle per violation. Owner shall, in addition, pay any fees incurred in the removal and/or storage of any vehicle found to be in violation of this Ordinance for the third or any subsequent times.

SECTION 13. Procedure of Payment. For public convenience and to avoid burdening the judicial system, any person receiving a citation for any violation of this Ordinance may make payment in satisfaction of such violation to the City Clerk in accordance with fees, which may from time to time, be adopted by the Council by Resolution.

SECTION 14. Severability. If any section, paragraph, sentence or provision hereof, or the application thereof to any particular circumstance, shall ever be held invalid or unenforceable by a court of competent jurisdiction, such decision or decisions shall not affect the validity of the remaining portions hereof, which shall continue in full force and effect and be applicable to all circumstances to which they may validly apply.

SECTION 15. Effective Date. This Ordinance shall be in full force and effect upon its passage, approval and publication according to law.

PASSED AND ADOPTED BY THE DOVER CITY COUNCIL AND  
APPROVED BY THE MAYOR THIS 18<sup>th</sup> DAY OF SEPTEMBER, 2007.

  
Paul "Randy" Curless, Mayor

ATTEST:

  
Laurie Katana, City Clerk-Treasurer

# CITY OF DOVER

## A SUMMARY OF ORDINANCE NO. 99

**AN ORDINANCE OF THE CITY OF DOVER, BONNER COUNTY, IDAHO, PERTAINING TO PARKING WITHIN THE CORPORATE LIMITS OF THE CITY OF DOVER; PROVIDING FOR DEFINITIONS; RESTRICTING PARKING IN CERTAIN AREAS WITHIN THE CITY OF DOVER; ESTABLISHING REGISTERED OWNER RESPONSIBILITY AND EXCEPTIONS; ESTABLISHING ROAD SUPERVISOR AUTHORITY; RESTRICTING VEHICLE REPAIR OR OTHER TYPE OF WORK WITHIN CITY LIMITS; PROHIBITING PARKING OF TRUCKS, TRAILERS AND OTHER VEHICLES; PROHIBITING PARKING IN DESIGNATED RESTRICTED PARKING AREAS; PROVIDING FOR REMOVAL AND/OR STORAGE OF A VEHICLE IN VIOLATION; PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING PAYMENT PROCEDURES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.**

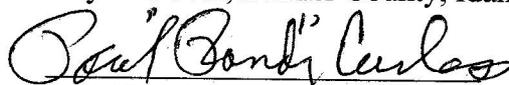
A summary of the principal provisions of Ordinance Number 99 of the City of Dover, Bonner County, Idaho, and adopted September 18, 2007 is as follows:

- SECTION 1. Provides for definitions of terms.
- SECTION 2. Restricts parking.
- SECTION 3. Prohibits nuisance and trespass.
- SECTION 4. Establishes vehicle ownership.
- SECTION 5. Provides for exceptions.
- SECTION 6. Establishes Road Supervisor authority.
- SECTION 7. Prohibits vehicle repair in certain areas.
- SECTION 8. Prohibits parking of trucks, trailers and other vehicles in certain areas.
- SECTION 9. Prohibits parking in designated disability parking areas.
- SECTION 10. Prohibits parking in fire lanes.
- SECTION 11. Provides for removal of vehicles.
- SECTION 12. Provides for penalties for violation.
- SECTION 13. Provides for procedure of payment.
- SECTION 14. Provides for severability clause.
- SECTION 15. Provides for an effective date.

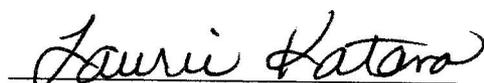
A full text of Ordinance Number 99 is available from the City Clerk and can be provided upon request during normal business hours.

Dated this 2<sup>nd</sup> day of October, 2007.

City of Dover, Bonner County, Idaho

  
Paul "Randy" Curless, Mayor

Attest:

  
Laurie Katana, Clerk-Treasurer