

CITY OF DALTON GARDENS

ORDINANCE NO. 67

AN ORDINANCE OF THE CITY OF DALTON GARDENS, KOOTENAI COUNTY, IDAHO, PROVIDING WHERE PARKING IS PERMITTED, WHERE IT MAY BE PROHIBITED, THE MANNER OF PARKING, THE HOURS AND LENGTH OF TIME PARKING SHALL BE PROHIBITED, PROHIBITING PARKING ON PRIVATE PROPERTY, DESIGNATING THE PARKING OF VEHICLES IN VIOLATION OF THIS ORDINANCE, OR PERMITTING ANY VEHICLE REGISTERED IN THE NAME OF OR OPERATED BY ANY PERSON TO BE PARKED IN VIOLATION OF SAID ORDINANCE TO BE CAUSE FOR ISSUANCE OF A CITATION AND SUCH PERSON TO BE ASSESSED THE SUM OF TWO DOLLARS (\$2.00), AND IN THE EVENT THAT WITHIN A THIRTY (30) DAY PERIOD FOLLOWING THE ISSUANCE OF A CITATION THE ASSESSMENT HAS NOT BEEN PAID A MISDEMEANOR COMPLAINT AND WARRANT SHALL BE ISSUED AND THE VIOLATOR, IF FOUND GUILTY, SHALL BE FINED NOT LESS THAN THIRTY DOLLARS (\$30.00) NOR MORE THAN ONE HUNDRED DOLLARS (\$100.00).

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DALTON GARDENS, KOOTENAI COUNTY, IDAHO:

SECTION 1: WHEN PARKING PROHIBITED: The designated law enforcement officer is hereby authorized to indicate temporary zones where vehicles shall not be parked, when in the opinion of the designated law enforcement officer, it is necessary to temporarily prevent the parking of vehicles on any street or portion of such street. The designated law enforcement officer may do so either by placing appropriate signs or placing barricades or officers at such places. It

shall be unlawful for any person to park any vehicle at such time and at such designated places. The designated law enforcement officer is hereby authorized to remove such illegally parked vehicles and the owner thereof shall pay the cost of such removal.

SECTION 2. PARALLEL PARKING. Motor vehicles shall be parked parallel to the curb on all streets and avenues, unless otherwise posted, with the right-hand wheels within eighteen inches (18") of the right hand curb, or as close as practicable to the right edge of the right-hand shoulder of the roadway. Motor vehicles shall not be parked within twenty feet (20') of the corner of the curb or within fifteen feet (15') of any fire hydrant. It shall be unlawful for any person to park a vehicle on any portion of any street where the curb is painted.

Provided, however, that on one-way streets, motor vehicles shall be parked parallel to the curb on all streets and avenues with either the right-hand wheels or the left-hand wheels within eighteen inches (18") of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder of the roadway.

SECTION 3: PARKING REGULATIONS. No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a designated law enforcement officer or traffic control device, in any of the following places:

On a sidewalk;

In front of a public or private driveway;

Within an intersection;

On a crosswalk;

Within twenty feet (20') of a crosswalk or intersection;

Between a safety zone and the adjacent curb or within thirty feet (30') of points on the curb immediately opposite the ends of a safety zone, unless the traffic authority indicates a different length by signs or markings;

Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;

On a roadway edge of any vehicle stopped or parked at the edge or curb of a street;

Upon a bridge or other elevated structure upon a highway or within a highway tunnel;

At any place where official signs prohibit stopping;

In an alley so as to hinder or block traffic.

No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.

SECTION 4: LENGTH OF PARKING TIME. No vehicle shall be parked at the same location on any public street in the City continuously for more than twenty-four (24) hours.

SECTION 5: PARKING ON PRIVATE PROPERTY. No vehicle shall be parked upon the private property of another without the consent of the owner of such property, and the designated law enforcement officer is hereby authorized to remove said vehicle therefrom and cause the same to be stored, provided the owner of said private property has first complained against the owner or operator of such vehicle.

SECTION 6: PENALTIES. It shall be unlawful for any person to violate or permit any vehicle registered in his or her name to be parked in such a manner, or place, or time, prohibited by this Ordinance. Anyone found violating any

provision of this Ordinance or permitting any vehicle registered in his or her name to be parked in violation of this Ordinance shall be issued a citation and assessed Two Dollars (\$2.00). Said assessment shall be payable at the City Hall, Dalton Gardens, Idaho, within thirty (30) days from the date of issuance. If, within the thirty (30) day period following the issuance of a citation the assessment has not been paid, a misdemeanor complaint and warrant will be issued and the violator, if found guilty, will be fined not less than Thirty Dollars (\$30.00) or more than One Hundred Dollars (\$100.00).

SECTION 7: SEVERABILITY. If any section, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any federal or state court or administrative or governmental agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 8: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 9: This ordinance shall take effect and be in full force and effect upon its passage, approval and publication in one issue of the Coeur d'Alene Press, a newspaper of general circulation published in Kootenai County, Idaho.

Passed under suspension of the rules upon which a roll call vote was taken and duly enacted an ordinance of the City of Dalton Gardens, Idaho, at a regular meeting of the Mayor and City Council held on February 2, 1978.

James P. Howard  
Mayor

ATTEST:

Lucy A. Howey  
Clerk

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,  
County of Kootenai,

} ss.

*Cora Hedge*

..... being first duly sworn  
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The *Ordinance #67*

of which the annexed is a printed copy, was published in the regular *Issue* issue of said newspaper for *1* consecutive *Day* commencing on the *9* day of *Feb*, 19 *78*, and ending on the *9* day of *Feb*, 19 *78*, and such publication was made as often during said period as said *Daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

*Cora Hedge*

Subscribed and sworn to before me this *9* day of *Feb*, 19 *78*.

*Roberta Manley*  
Notary Public for the State of Idaho,  
residing at Coeur d'Alene, Idaho.

*47.25*

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Mayor

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Lucy Howey  
Clerk  
Legal 68  
Feb. 9, 1978