

..Title

An Ordinance Amending Chapter 161 of the Legislative Code Pertaining to Parking Enforcement During Snow Emergencies.

..Body

SECTION 1

WHEREAS, during winter weather events, Saint Paul Public Works engages in plowing and anti-icing efforts to keep more than 1,800 lane miles of streets and bridges safe and passable; and

WHEREAS, as an urban city, on-street parking is a necessity for our residents and businesses; and

WHEREAS, to allow city plow crews to clear the streets of snow and ice, there are times that the city needs to declare a Snow Emergency, which require residents and visitors to temporarily move their cars from certain streets; and

WHEREAS, Chapter 161 of the Saint Paul Legislative Code governs parking regulations during Snow Emergencies; and

WHEREAS, the Public Works Department has found it necessary to update Chapter 161 to bring the Code in line with current practices and protocols, and to better clarify Snow Emergency parking regulations for Saint Paul residents and visitors; now, therefore, be it

RESOLVED, that the Council of the City of Saint Paul does Ordain:

SECTION 2

Chapter 161 of the Saint Paul Legislative Code is hereby amended as follows:

Sec. 161.01. - Definitions.

As used throughout this chapter, the term "vehicle" shall mean any self-propelled motor vehicle; the term "street" shall mean any street, avenue, highway or other public way in the City of Saint Paul other than the public alleys; and the term "winter season" shall mean the period of time spanning October 1 through May 1 of the following calendar year.

Sec. 161.02. - Declaration of emergency.

(a) Whenever in the opinion of the director of public works or his or her designated representative an emergency exists in the city or in a section or sections thereof because of snow, freezing rain, sleet, ice, snowdrifts or other natural phenomena which create or are likely to create hazardous road conditions or impede the free movement of fire, health, police, emergency or other vehicular traffic, or otherwise endanger the safety and welfare of the community, the director of public works or his or her designated representative may declare an emergency to exist for a period of ninety-six (96) hours, but such emergency may be terminated sooner if conditions permit. Notice of such emergency, its effective date and start time, its termination date and time, and, if applicable, any change in duration thereof shall be given by press, radio, internet and television, and the news

media shall be requested to cooperate with city officials and, when such notice is given, it shall constitute due and proper notice. Where, in the opinion of the director of the department of public works or his or her designated representative, such emergency continues to exist for a period in excess of the aforesaid emergency period, he or she is hereby authorized to declare successive emergency periods.

(b) In any winter season, the public works director or his or her designated representative may in his or her discretion impose a continuous winter parking restriction on any or all city streets. Notice of such emergency and termination thereof shall be given by press, radio, internet and television, and the news media shall be requested to cooperate with city officials and, when such notice is given, it shall constitute due and proper notice. Once imposed, a winter parking restriction will remain continuously in effect beginning on the date and time it becomes effective and for the remaining portion of the winter season, or until the restriction is officially lifted by the public works director or the designated representative. Winter parking restrictions imposed under subdivision (b) will be temporarily suspended during a snow emergency declared under subdivision (a).

Sec. 161.03. - Snow emergency plow routes; parking restrictions

(a) All city streets are considered "snow emergency plow routes." The director of public works shall designate two (2) separate categories of plow routes for snow emergencies; "night plow route" and "day plow route." Signs shall be posted on all streets designated by the director of public works as "night plow routes" or portions thereof, and a record of such "night plow routes" shall be maintained in the department of public works.

"Night plow routes." No vehicles shall be stopped, parked, abandoned or left unattended on any designated night plow route for the duration of a declared emergency, which shall remain in effect for 96 hours from the date and time the emergency is declared to begin, unless terminated earlier under Section 161.02, subdivision (a). However, parking may be resumed on individual night plow route streets as soon as snow has been plowed to the curb or edge of pavement from that portion of the night plow route street.

"Day plow routes." All other streets which have not been designated as "night plow routes" shall be designated as "day plow routes." No vehicle shall be stopped, parked, abandoned or left unattended on any day plow route beginning at 8:00 a.m. on the day following the start of an announced emergency and lasting for the duration of said emergency, unless terminated earlier under Section 161.02, subdivision (a). However, parking may be resumed on individual "day plow route" streets as soon as snow has been plowed to the curb or edge of pavement from that portion of the day plow route street. This provision shall not prohibit the stopping of commercial passenger vehicles for periods sufficient to load or discharge passengers from such vehicles.

(b) When a winter parking restriction is imposed under section 161.02, subdivision (b), the public works director shall identify one (1) side of designated snow emergency plow routes as restricted. Upon declaration of a winter parking restriction, no person shall stop, stand, park or leave any vehicle or permit it to stand upon the restricted portion of any designated snow emergency plow route.

Sec. 161.04. - Vehicles stopped; petty misdemeanor.

Any vehicle stopped, parked, abandoned or otherwise left unattended in violation of this chapter is hereby declared to be an obstruction to the public streets and shall be punishable as a petty misdemeanor.

Sec. 161.05. - Vehicles stopped, removal.

If any vehicle is stopped, parked, abandoned or left unattended in violation of the provisions of this chapter, the same may be moved or may be impounded in accordance with the terms of chapter 162 of this Code. The owner of said vehicle shall be responsible for all the costs associated with the removal and storage of the vehicle.

Sec. 161.06. - Reclaiming vehicles.

(a), As soon as practicable after the removal and impoundment of any vehicle parked in violation of the provisions of this chapter, the police chief shall cause to be notified, in writing, the person known to be the owner of such vehicle by the registration thereof, of the following facts:

- (1) A general description of the vehicle together with the license plate number;
- (2) The date and approximate time of removal, the reason for removal, the location to which removed, and the contact information of the entity to which the vehicle was removed; and
- (3) The charge for such removal, which shall not exceed the amount for towing agreed upon in any current contract between the city and a contract tower, impound lot fees, plus a daily storage fee and costs as approved by the city council

(b) The aforesaid notice will be mailed to the registered owner, within five (5) business days of the day of the tow. .

(c) Before any vehicle removed and stored shall be reclaimed, the owner or other claimant shall satisfactorily identify himself or herself and establish his or her right, title or interest in or to the vehicle and right to possession thereof and shall further pay all costs or charges in connection with the removal and storage of such vehicle and notice thereof.

(d) The payment of such charges shall not relieve the owner or other person responsible for such violation from the payment of any fine or penalty for violation of the provisions of this or any other applicable ordinance of the City of Saint Paul.

Sec. 161.07. - Enforcement.

The director of public works may designate employees of said department, or employees of other City departments with written permission from that department's director, or may enter into a contract with qualified third parties, to issue citations under this Chapter. Citations issued under

this Chapter shall conform to the Statewide Standard Citation form approved by the State Court Administrator and the Commissioner of Public Safety and shall have the same force and effect as though issued by a police officer or other peace officer.

SECTION 3

This Ordinance will take effect and be in force following its passage, approval, and publication.