File #: Ord 11-88, **Version:** 1

Amending Chapter 161, Traffic Code - Parking During Emergencies, of the Saint Paul Legislative Code, to comply with state law changes and to update or eliminate outdated language.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

Section 1

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

Sec. 161.01. Definitions.
As used throughout this chapter, the term "vehicle" shall mean any self-propelled motor vehicle, and the term "street" shall mean any street, avenue, highway or other public way in the ~~city~~ City of Saint Paul other than the public alleys.
(Code 1956, § 149.01)

Sec. 161.02. Declaration of emergency.
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 sooner terminated if conditions permit. Notice of such emergency and termination thereof shall be given by press, radio and television and the news media shall be requested to cooperate with city officials and, when ~~given~~ 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.
(Code 1956, § 149.02)

Sec. 161.03. Snow emergency plow routes; parking restrictions.
All "snow emergency plow routes" shall be designated by the director of the department of public works. Two (2) classes of plow routes for snow emergencies shall be designated as "night plow route" or "day plow route." Signs shall be posted on all night plow routes or portions thereof, and a record of such night plow routes shall be maintained ~~on file in the department, the traffic and accident section of the police department and the clerk of municipal court's office~~ in the department of public works. Vehicles shall not be stopped, parked, abandoned or left unattended on any designated night plow route for the duration of a declared emergency; provided, however, that 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. On all other streets which have not been designated as night plow routes, no vehicle shall be stopped, parked, abandoned or left unattended on the day following the announced emergency between the hours of 8:00 a.m. and 12:00 midnight or during such hours as otherwise designated in the declaration; provided, however, that parking may be resumed on individual streets as soon as snow has been plowed 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.

(Code 1956, § 149.03; Ord. No. 17697, § 1, 11-21-89; Ord. No. 17776, § 1, 10-11-90; C.F. No. 94-1364, § 1, 10-12-94)

Sec. 161.04. Vehicles stopped; petty misdemeanor.
Any vehicle stopped, parked, abandoned or otherwise left unattended in violation of section 161.03 is hereby declared to be an obstruction to the public streets and shall be punishable as a petty misdemeanor.
(Code 1956, § 149.04; Ord. No. 17428, § 1, 1-13-87; C.F. No. 00-573, § 3, 7-5-00; C.F. No. 07-1107, § 1, 12-12-07)

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. at the expense of the owner thereof. The owner of said vehicle shall be responsible for all the costs associated with the removal and storage of the vehicle.
(Code 1956, § 149.05)

Sec. 161.06. Reclaiming vehicles.
(a) As soon as practicable after the removal of said vehicle parked in violation of the provisions of this chapter, the director of public works shall notify the chief of police of the removal of such vehicle and within twenty-four (24) hours after such notification the police chief shall notify, in writing, the person known to be the owner of such vehicle by the registration thereof, of the following facts:

(1) A general description together with the license number;
(2) The approximate time and the reason for removal and the place to which 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, plus a daily storage charge.

(b) The aforesaid notice from the police chief to the vehicle owner shall be addressed to the registered owner and shall be deposited sent via registered mail with postage prepaid in the United States Mail at Saint Paul, Minnesota, as soon as practicable after receipt by the chief of police of the aforesaid notice from the director of public works within five (5) days of the towing and impoundment of said vehicle.

(c) Before any vehicle so 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 said 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 City of Saint Paul. It shall be unlawful for any person to reclaim the vehicle so removed and stored without first paying all of the said costs, charges or penalties.
(Code 1956, § 149.06; C.F. No. 07-1107, § 1, 12-12-07)

Sec. 161.07. Enforcement.
The director of the department of public works may designate employees of said department or may enter into a contract with qualified third parties to issue summonses for violation of the provisions of this chapter. Such summonses citations, which shall be in a form approved by the Ramsey County District Court and shall have the same force and effect as though issued by a police officer or other peace officer.
(Code 1956, § 149.07)

Section 2

This ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.

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