

Title 11

SNOW EMERGENCIES

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Sec. 11-101. Definitions.

The following words, terms and phrases, when used in this title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Snow emergency means a forecast of heavy snowfall in the immediate future on the basis of a forecast by the United States Weather Service or other weather service, which weather conditions are anticipated to make it necessary to prohibit parking on certain Town streets or alleys to accommodate snowplowing and snow removal by the Town to provide for vehicle travel.

Snow emergency declaration means an announcement that a snow emergency has occurred. A snow emergency declaration may be made by the Town Public Works Director or Town Police Chief with approval of the Mayor, or the Mayor Pro Tem in the absence of the Mayor.

Street or alley means a publicly maintained way open to public use for vehicular travel and includes the entire width between the boundary lines and not just the portion designed and ordinarily used for vehicular travel.

Vehicle means and includes motorized vehicles, trailers, machinery, equipment, and recreational vehicles, whether or not operational.

(Ord. No. 1-2012, § 1(11-101), 2-13-2012; Ord. No. 3-2019, § 1(11-101), 3-25-2019)

Sec. 11-102. Placement of snow; penalty.

(a) It is unlawful for any person (excluding employees and authorized agents of the Town) to push, plow, shovel, dump, pile, place or deposit snow, ice or slush upon any public premises, street, alley or sidewalk.

(b) It is unlawful for any person to push, plow, shovel, dump, pile, place or deposit snow, ice or slush on any private premises without the consent of the owner or the occupant of such premises.

(c) Violation of this section constitutes a misdemeanor and is punishable by a fine of up to two hundred dollars (\$200.00) for each day the violation continues.

(Ord. No. 1-2012, § 1(11-102), 2-13-2012; Ord. No. 3-2019, § 1(11-102), 3-25-2019)

Sec. 11-103. Parking restrictions on snow routes; penalty.

(a) The Town may designate certain streets and alleys, or portions thereof, as snow routes, and may restrict parking of vehicles on and upon such streets and alleys to facilitate the removal of snow and ice from such streets and alleys. Such restrictions may prohibit parking at all times, or during specified days or times, and may be temporary or permanent. Signs designating such restrictions shall be posted, and such restrictions shall not be enforced for a period of five (5) days following posting.

(b) It is unlawful for the owner of any vehicle to park or permit to be parked or to allow to remain parked such vehicle on or upon any street or alley designated as a snow route by the Town in violation of the posted parking restrictions. The owner of a vehicle shall be deemed to have parked or permitted to be parked or allowed to remain parked any vehicle which is parked in violation of this section.

(c) Violation of this section constitutes a misdemeanor and is punishable by a fine of up to two hundred dollars (\$200.00) for each day the violation continues.

(Ord. No. 1-2012, § 1(11-103), 2-13-2012; Ord. No. 3-2019, § 1(11-103), 3-25-2019)

Sec. 11-104. Parking restrictions on snow emergency routes; penalty.

(a) In addition to snow routes provided in Section 11-103, the Town may designate certain streets and alleys, or any portion thereof, as snow emergency routes. Each such street or alley, or portion thereof, so designated shall be posted with signs stating that such street or alley, or portion thereof, is a snow emergency route and prohibiting parking thereon from 6:00 a.m. to 6:00 p.m. when a snow emergency declaration is in effect.

(b) Upon a snow emergency declaration, the Town shall announce such snow emergency declaration on the Town's website and on the Town's City Watch Notification System. The announcement shall inform the public that parking is prohibited on any one (1) or more snow emergency routes as designated in Subsection (a) of this section, and direct that all vehicles must be removed from such snow emergency route within four (4) hours of making said public announcement. Once a snow emergency declaration is made, the parking prohibition shall remain in effect until accumulated snow on the snow emergency route has been removed by the Town and snow is no longer accumulating (falling).

(c) From and after four (4) hours following announcement of the snow emergency declaration and during the duration of the snow emergency declaration as provided in Subsection (b) of this section, it shall be unlawful for the owner of any vehicle to park, permit to be parked, or allow to remain parked such vehicle on or upon any snow emergency route on which parking is prohibited. The owner of a vehicle in violation of this section shall be deemed to have parked, or permitted to be parked, or allowed to remain parked, such vehicle. Violation of this subsection constitutes a misdemeanor and is punishable by a fine of up to two hundred dollars (\$200.00) for each day the violation continues.

(Ord. No. 1-2012, § 1(11-104), 2-13-2012; Ord. No. 3-2019, § 1(11-104), 3-25-2019)

Sec. 11-105. Removal of vehicles.

(a) Officers of the Town Police Department are authorized to arrange with the nearest available towing service for the removal from a street or alley of any vehicle parked in violation of any section of this chapter when:

- (1) The vehicle is parked in violation of Section 11-103 and is interfering or about to interfere with the Town's snow removal operations; or
- (2) The vehicle is parked in violation of Section 11-104.

Prior to removal of the vehicle, the Town Police Department shall attempt to contact the vehicle owner if the identity of the owner can be determined, by telephone or otherwise, to direct the owner to relocate the vehicle. Such contact shall be between the hours of 7:00 a.m. and 10:00 p.m. Vehicles shall not be removed by the Town between the hours of 10:00 p.m. and 7:00 a.m. the next day. Vehicles may be removed to the storage yard of the towing service.

(b) Whenever the Town Police Department has removed a vehicle from a street or alley authorized in this section and the Town Police Department knows or is able to ascertain the name and address of the owner thereof, the Town Police Department shall, as soon as practicable, give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefor and of the place to which such vehicle has been removed. A copy of such notice shall be given to the towing service which removed such vehicle.

(c) Whenever the Town Police Department has removed a vehicle from a street or alley under this section and does not know and is not able to ascertain the name of the owner, or for any reason is unable to give the notice to the owner as provided in this section, and, in the event the vehicle is not recovered by the owner within a period of three (3) days, then, and in that event, the Town Police Department shall immediately send or cause to be sent a written report of such removal and the reasons therefor by mail to the State department whose duty it is to register motor vehicles, and shall provide a copy of such notice to the towing service which removed the vehicle.

(d) It shall be the duty of the Town Police Department to keep a record of each vehicle removed in accordance with this section. The record shall include a description of the vehicle, its license number, the date and time of its removal, where it was removed from, its location, the name and address of its owner and last operator, if known, its final disposition, and the parking violation involved.

(e) Before the owner or person with the right of immediate possession of any towed vehicle may recover it from the place where it has been placed or stored, he shall pay all reasonable and necessary charges arising from the towing and storage of his vehicle and shall present evidence of his identity and right to possession of the vehicle before it may be returned to him. Fees for the towing of vehicles to a public or private location shall be paid directly to the towing service. Storage fees at a private or public storage facility shall be paid directly to the operator of the storage facility.

(f) This section shall be supplemental to any other provisions of law granting members of the Town Police Department authority to remove vehicles.

(Ord. No. 1-2012, § 1(11-105), 2-13-2012; Ord. No. 3-2019, § 1(11-105), 3-25-2019)