

ORDINANCE NO. 09-06

AN ORDINANCE AMENDING CHAPTER 10 ENTITLED PARKING ORDINANCES OF THE SCOTT COUNTY IOWA CODE, BY AMENDING NUMEROUS SECTIONS THERETO

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY IOWA:

Section 1. That Chapter 10 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

CHAPTER 10

PARKING ORDINANCES

SECTIONS:

- 10-1. TITLE
- 10-2 GENERAL JURISDICTION
- 10-3. DEFINITIONS
- 10-4. EMPLOYEE PARKING
- 10-5. PUBLIC PARKING
- 10-6. LOADING ZONE PARKING
- 10-7. AUTHORIZED VEHICLE PARKING
- 10-8. HANDICAPPED PARKING
- 10-9. NO PARKING

- 10-10. SIGNS REQUIRED FOR REGULATIONS EFFECTIVENESS
- 10-11. ENFORCEMENT AND PAYMENT OF FINES

SEC. 10-1. TITLE

This chapter may be known and cited as the "County Parking Ordinance" of Scott County, Iowa.

SEC. 10-2. GENERAL JURISDICTION

The rules of this Chapter shall apply to property owned and operated by the County or Conservation Board. Unless otherwise specified, all rules, regulations, and definitions outlined in Chapter 321 or 461A of the Code of Iowa shall apply.

SEC. 10-3. DEFINITIONS

For the purposes of this Chapter, certain terms and words are hereby defined. Words used in the present tense shall include the future, the singular number shall include the plural, the word "shall" is mandatory, the word "may" is permissive.

- A. MOTOR VEHICLE: Any vehicle which is self-propelled.
- B. PERSON: Every natural person, firm, co-partnership, association, or corporation.

- C. OWNER: A person who holds the legal title of a vehicle, or in the event a vehicle is the subject of a security agreement with an immediate right of possession vested in the debtor, then such debtor shall be deemed the owner for the purpose of this Chapter.
- D. PARK, PARKING: The stopping, standing of an attended or unattended motor vehicle.
- E. PERSONS INVOLVED WITH COURT ACTIVITY(S): Any witness or party who physically appears or is scheduled to appear in court. Court activity is defined as an activity which requires an appearance before a judge, magistrate or court appointed neutral party.
- F. EMPLOYEE PARKING. Parking for vehicles for only those persons who meet one of the following criteria, and whose vehicle properly displays an "Employee Permit" or "Special Permit" acquired for that vehicle pursuant to this Ordinance:
1. County Employee: Full or part-time employee who is currently on the county payroll and who works in or out of a County-owned Building.
 2. Board/Commission Member: Any person who is appointed by the County Board of Supervisors to serve in a part-time capacity on a Scott County Board (excluding the Board of Supervisors), Commission or Committee. Also any person who serves in a part-time capacity on a board or commission of an agency/governmental entity which leases/utilizes space in a County-owned Building.
 3. Identified Company Vehicles: Vehicles whose driver is an employee of a company which:
 - a. Has a written contract with Scott County or an agency/governmental entity which leases or utilizes space in a County-owned Building; and
 - b. Are performing activity, which is authorized under the written contract at/near a County-owned Building and;
 - c. Has notified the County Administrator or designee prior to performing activity.
 4. Juror or prospective juror.
 5. Persons attending scheduled meeting(s), classes in County-owned Building provided that the County Administrator or designee has been notified prior to such activity.
 6. Vehicles of persons employed by agencies and/or governmental entities which lease or utilize office space in a County-owned Building.
 7. Vehicles of persons on the workfare program, upon notification of County Administrator or his designee.
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- G. SPECIAL PERMIT: An identifying instrument, placard, etc. authorized and issued by the Office of Facility and Support Services for: persons listed under Employee Parking which allows a vehicle to be parked in the

employee parking area for a specified period of time, or district, associate and magistrate court judges allowed to park in the Authorized Vehicle Parking area.

H. EMPLOYEE PERMIT: An identifying instrument or permit shall be issued by the County which allows a vehicle to park in the employee parking area(s).

I. AUTHORIZED VEHICLE PARKING: Parking for only vehicles of law enforcement agency personnel conducting official business and county owned vehicles.

SEC. 10-4. EMPLOYEE PARKING

Employee parking locations shall be regulated by Scott County Employee General Policy. Employees are prohibited from parking in non-designated areas.

A. SEC. 10-5. PUBLIC PARKING RIGHTS TO PUBLIC PARKING LIMITED. No individual may park a motor vehicle in areas designated as public parking, as defined in sec. 10-3(D) unless the individual is conducting business in the building associated with that designated parking area.

B. OVERNIGHT PARKING PROHIBITED. An Individual may not park a motor vehicle or remain parked in areas designated for public parking, as defined in Sec. 10-3(D) after 8 pm and before 5 am.

C. OVERNIGHT PARKING EXCEPTION. The Overnight parking prohibition does not apply to a county employee who is :

1. conducting business in the building associated with the designated parking area during the prohibited hours, and
2. would otherwise be permitted to park in that area.

SEC. 10-6. LOADING ZONE

No person shall park a motor vehicle in space(s) designated as a loading zone except for the purpose of delivery or pick-up of quantities of materials. Any person who parks a motor vehicle in the designated loading zone space(s) shall be limited to thirty (30) minutes.

SEC. 10-7. AUTHORIZED VEHICLE PARKING

No person shall park a motor vehicle on the area designated Authorized Vehicles except vehicles outlined in Sec. 10-3(I).

SEC. 10-8. HANDICAPPED PARKING

No person shall park a motor vehicle in a designated Handicapped Parking area unless they properly hold and display a current state issued handicapped permit

SEC. 10-9. NO PARKING

No person shall park a motor vehicle in the following described no parking areas located in the County:.

1. On Grove Road from Park View Drive westerly for 259 feet, on the northerly side of the road.
2. On Park View Drive from Grove Road northerly for 267 feet, on the westerly side of the street.
3. On Lincoln Road from Manor Drive westerly for 200 feet, on the northerly side of the road and for 100 feet on the southerly side of the road.

4. On Manor Drive from Park View Drive westerly for a distance of 200 feet, on the northerly side of the street.
5. On Grove Road from U.S. Highway No. 61 to Park View Drive, on the southerly side of the street.
6. On both sides of Park View Drive from Manor Drive to a point 100 feet south of Grove Road.
7. On Manor Drive from the County Park Road to Park View Drive, on the easterly side of the street.
8. On both sides of South Park View Drive from its intersection with Park View Drive southeasterly a distance of 575 feet to a point in front of addresses 114 and 115.
9. On both sides of Crest View Drive from its intersection with South Park View Drive southwesterly, southerly and southeasterly a distance of 575 feet to a point in front of addresses 110 and 111.
10. On both sides of Park Crest Court from its intersection with Crest View Drive southwesterly from the entire length of the street and the cul-de-sac.
11. On Park View Drive from Manor Drive northerly for a distance of 200 feet, on the westerly side of the street.
12. On Park Avenue between Manor Drive and Manor Court, on the north side of the street only.
13. On Park View Drive from Valley drive to South Park View Drive on the westerly side of the street.
14. On both sides of County Route F-33 (290th Street) from Scott Park Road (Old 61) east past Pioneer Village to bridge.
15. On both sides of on Park View Drive from Grove Street 200 feet south.
16. On both sides of Brady Street (in Mt. Joy) from 214th Street north to end of road.
17. On both sides of 140th Street Place from 110th Ave (Y-48) east to 112th Ave.
18. In violation of any parking restrictions authorized by the Conservation Board within the county park system.

SEC. 10-10. SIGNS REQUIRED FOR REGULATIONS EFFECTIVENESS

Parking regulations shall not be in effect until official traffic control devices and/or markings have been installed for a minimum of twenty-four hours.

SEC. 10-11. ENFORCEMENT AND PAYMENT OF FINES

A. FINE AMOUNT AND NOTICE OF VIOLATION

1. Violations of §§ 10-4, 10-5, 10-6, 10-7, and 10-9, of this chapter shall be a misdemeanor and result in a fine of fifteen dollars (\$15). Fines for violations listed in this

paragraph which are admitted and/or mailed within three calendar days, excluding holidays and weekends, shall be reduced to an eight dollar (\$8) fine.

2. Violations of § 10-8 shall be a misdemeanor and result in a fine of One Hundred Dollars (\$100), there shall be no reductions for violation of § 10-8.

3. Notice of violation of said sanctions shall be placed/attached in a conspicuous place on the motor vehicle found to be in violation of the parking ordinance.

B. Towing and/or impoundment of motor vehicles shall occur in any of the following circumstances:

1. The owner of a motor vehicle accumulates more than ten (10) unpaid fines in a calendar year.

2. The owner of a motor vehicle does not park within a clearly marked parking space.

3. The owner of a motor vehicle has blocked access to another parking space.

4. Vehicles abandoned or unattended for over three (3) working days.

5. Blockage of the entrance to a private driveway by a motor vehicle.

C. WHEN PAYMENT IS DUE, ENFORCEMENT OF PAYMENT

1. Fines shall be payable to the Scott County Treasurer within thirty (30) days of issuance.

a. Person not paying said fines after 30 days shall be issued a notice to pay within fourteen (14) days of said notice.

b. The fine amount shall increase by five dollars (\$5) if not paid within 30 days of issuance.

2. If payment is not made fourteen (14) days after said notice, a citation shall be issued for the amount owed.

a. Failure to pay within fourteen (14) days after said notice shall cause a citation for the person's arrest to be issued and a hold may be placed on the vehicles registration of Scott County vehicles until the fine is paid.

b. If the original fine is issued due to a violation of §§ 10-4, 10-5, 10-6, 10-7, or 10-10, and a citation for the offenders arrest becomes necessary, the individual will be responsible for the five dollar (\$5) late fee, and the fine amount shall increase to twenty five (\$25) dollars, for a total fine amount of thirty dollars (\$30).

3. The Scott County Treasurer shall maintain appropriate records to ensure the efficient operation of the payment of fines.

D. Fines shall be collected in accordance with the procedures provided in Section 321.40 and 321.236(1) of the Code of Iowa.

E. ENFORCEMENT HOURS, ENFORCEMENT HOLIDAYS

1. Enforcement hours for all Chapter 10 parking regulations shall be 24 hours per day.

2. The County reserves the right to not enforce parking violations.

F. Exception to the issuance and/or payment of parking lot

finer:

1. The Director of Facility and Support Services, Sheriff, Conservation Director or their designee shall authorize the invalidation of violations and maintain a record of such for the following:
 - a. Persons outlined in Sec. 10-3(I) (1), (2), (3), (5), (6) and (7), for violations pursuant to Sec. 10-4 Employee Parking provided that this provision shall not be abused.
 - b. Violations in which the information contained on the written summons does not match the motor vehicle records for violations issued pursuant to Sec. 10-4 through and inclusive of Sec. 10-7.
 - c. Violation due to obvious error of parking ticket issuer for violations issued pursuant to Sec. 10-4 through and inclusive of Sec. 10-8.
 - d. Persons outlined in Sec. 10-3(I) for violation pursuant to Sec. 10-7 Authorized Vehicles provided that this provision shall not be abused.

G. PROCEDURES FOR CONTESTING

1. Persons wishing to contest violation and or fines shall be allowed an informal hearing (in person or telephonically) to reconsider the violation or fine. Said hearing shall be with the Director of Facility and Support Services or designee. At the conclusion of the hearing a decision will be made within seventy-two (72) hours.
2. A person contesting a violation need not make payment until a final decision is reached.
3. This subsection does not apply to individuals who have had a warrant issued for failing to pay within 14 days of receiving notice of nonpayment.

H. PROCEDURES FOR CONTESTING IF A CITATION OR WARRANT HAS BEEN ISSUED.

A person who has received a citation due a violation of 10-13(C) (2) (failing to pay within 14 days of receiving notice to pay the fine amount) and wishes to contest the violation must do so in Magistrate Court

- I. The Director of Facility and Support Services, County Engineer or Conservation Director or designees are authorized to purchase signs and identification permits consistent with this chapter.

- J. The Facility Support Services Director, Conservation Director and Sheriff or their designees are authorized and directed to enforce this chapter and to develop administrative procedures consistent with this Chapter.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

First Consideration _____,
Second Consideration _____,
Third Consideration _____,

James V. Hancock
Chairman, Board of Supervisors

Published on _____.