

## ORDINANCE 320-10

AN ORDINANCE OF THE CITY OF NEW MEADOWS, ADAMS COUNTY, IDAHO, CONCERNING SNOW REMOVAL MANAGEMENT WITHIN THE CORPORATE LIMITS OF THE CITY OF NEW MEADOWS; DEFINITIONS; PARAMETERS TRIGGERING SNOW PLOWING; PLOWING PRIORITIES; RESTRICTIONS; CITIZEN RESPONSIBILITIES; PROVIDING PENALTIES FOR VIOLATION; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NEW MEADOWS, IDAHO, AS FOLLOWS:

### **Section 1. Definitions:**

- A. **STREET:** The term "street" shall mean the entire public right of way which provides vehicular and pedestrian access to adjacent properties. The term includes and is interchangeable with roads, highways, avenues, boulevards, streets, lanes, courts and other like terms. "Highway" means the entire width between the boundary lines of every way publicly maintained when any part is open to the use of the public for vehicular travel, with jurisdiction extending to the adjacent property line, including sidewalks, shoulders, berms and rights-of-way not intended for motorized traffic.
- B. **TRAILER:** The term "trailer" shall mean any vehicle designed to be towed or transported by another vehicle. Every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle.
- C. **VEHICLE:** The term "vehicle" shall mean any apparatus designed or built to transport people, animals or inanimate objects, and generally, every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

### **Section 2. Snow Plowing Parameters**

- A. **ACCUMULATION:** When snow accumulates to a depth of four (4") inches or more in the downtown commercial corridor and a depth of six (6") or more on the side streets, the need for snow plowing and / or removal is established.
- B. **PLOWING HOURS:** Regular snow plowing and /or removal hours will be from 2 A.M. to 8 A.M., once snow depth accumulations have met the parameters in Section 2, A. If extraordinary circumstance occur, snow

plowing and / or removal may begin at a different time at the discretion of the Public Works Director.

### **Section 3. Plowing Priorities**

- A. Virginia (Highway #95) will be plowed first, the streets leading to the school facilities will be plowed second, the rest of the streets will be plowed third and the alleyways are plowed last.
- B. The City has no sanding equipment, so intersections are not sanded unless the ITD sanding crew graciously sands the intersections on Highway #95.
- C. As time permits, the fire hydrants will be cleared of snow when streets and alleys are completed.

### **Section 4. Restricting Parking:**

- A. It shall be unlawful to park any vehicle or trailer, motorized or non-motorized, on the street rights of way per Parking Ordinance 319-09.
- B. Any object, vehicle or trailer parked or placed in such a manner as to impede the efficient management of snow shall be subject to immediate citation, removal and impound. All said costs shall be paid in-full prior to the release of any towed or impounded object, vehicle or trailer.

### **Section 5. Citizen responsibilities**

- A. The clearing of snow from sidewalks is the responsibility of the owner / tenant of the property bordering the sidewalk.
- B. Snow plowing and / or removal may leave a snow berm along the edge of the street and across private driveway accesses. Removal of the snow berm to facilitate access to the private driveway is the responsibility of the property owner / tenant. Pushing or blowing snow or placing the snow berm from private property into the public right of way is unlawful.

### **Section 6. Penalties for Violation are Infractions:**

- A. For any offense involving a vehicle or trailer, the registered owner of the vehicle or trailer shall be fined a sum of fifty (\$50.00) dollars plus any and all costs assessed by the Courts, which sum shall be assessed as a penalty. All costs for towing, recovery, impound and storage shall be paid by the registered owner of any vehicle or trailer found to be in violation of this ordinance. All said costs shall be paid in full prior to the release of any towed or impounded vehicle or trailer.

- B. Each day shall be a new and separate violation subject to all penalties and actions allowed in this ordinance.
- C. For any offense involving the pushing or blowing snow or placing the snow berm back into the public right of way, the property owner and / or offender shall be fined a sum of fifty (\$50.00) dollars plus any and all costs assessed by the Courts, which sum shall be assessed as a penalty.

**Section 7. Severability:** If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**Section 8. Effective date:** This ordinance shall be in full force and effect upon its passage, approval and publication in the official newspaper of the City of New Meadows.

Passed and approved this 11<sup>th</sup> day of January, 2010.

**Gale Stillman**

Gale Stillman, Mayor

ATTEST: **Jacob Qualls**

Jacob Qualls, City Clerk