

ORDINANCE NO. 2009-08-31

REGULATIONS FOR RESIDENTIAL PARKING PERMIT PROGRAM. AN ORDINANCE CREATING A NEW CHAPTER OF TITLE 10 OF THE AMERICAN FORK MUNICIPAL CODE REGULATING PARKING BY GIVING RESIDENTS WITHIN A SPECIFIC AREA PREFERENTIAL PARKING, PROVIDING A SAVINGS CLAUSE AND EFFECTIVE DATE FOR THE ORDINANCE.

PREAMBLE:

WHEREAS, the majority of the residents of American Fork City possess automobiles and as a result are faced with the need to park these automobiles near their residences; and

WHEREAS, certain neighborhoods and areas of the city are often burdened by influxes of vehicles owned by non-neighborhood residents; and

WHEREAS, such influx of automobiles often disrupts basic essential services, such as trash collection and mail delivery by blocking access to garbage cans, mail boxes, etc.; and

WHEREAS, the influx of parking creates significant traffic hazards; and

WHEREAS, unnecessary noise, pollution and strained relationships between neighborhood residents and non-residents often work unacceptable hardships on residents of these neighborhoods by causing deterioration of safety, tranquility, aesthetics and other values available in a residential environment; and

WHEREAS, the American Fork Municipal Code presently contains no criteria or procedure for regulating parking in residential areas; and

WHEREAS, the American Fork City Council finds that the adoption of this Ordinance would promote the public health, safety and welfare of the City.

NOW THEREFORE, be it ordained by the City Council of American Fork, Utah, that:

10.34.010 **REGULATIONS FOR RESIDENTIAL PARKING PERMIT PROGRAM**

The provisions codified in this chapter shall be known and may be referred to as REGULATIONS FOR RESIDENTIAL PARKING PERMIT PROGRAM

10.34.020 **PURPOSE OF PROVISIONS:**

The residential parking permit program shall balance all affected interests, including public safety, neighborhood concerns, and the welfare of the general public.

It is the purpose of this ordinance to establish operating regulations for preferential

residential parking in designated areas as set forth below.

10.34.030 **CRITERIA FOR REGULATION OF THE RESIDENTIAL PARKING PERMIT PROGRAM**

Regulations for preferential resident parking shall be based on the following criteria:

10.34.040 **DEFINITIONS**

The following terms as used in this chapter shall have the meanings indicated;

MOTOR VEHICLE: An automobile, truck, motorcycle, scooter, or other motor-driven or self-propelled form of transportation intended primarily for use and operation on the highways, but not including motor vehicles longer than 20 feet;

PARKING PERMIT: A permit issued by the City which is affixed to or displayed by a vehicle qualifying under these regulations.

RESIDENCE: Any building, structure, or portion thereof which is occupied, or designed as, or intended for occupancy as a residence by one or more families, but not including hotels, motels, bed and breakfast establishments, or residential or commercial buildings which are required to have off-street parking spaces such as apartments, condominium complexes, etc.

PREFERENTIAL RESIDENT AREA: A contiguous or nearly contiguous area containing public streets and highways where residents dwell and upon which parking limitations, pursuant to these regulations, are placed.

PREFERENTIAL RESIDENT PERMIT PARKING AREA: A residential area designated herein where parking is regulated by the terms of this Ordinance.

RESIDENT VEHICLE: A motor vehicle which is eligible to be issued a residential parking permit pursuant to the terms and conditions of this Ordinance.

1.34.050 **DESIGNATION OF PREFERENTIAL RESIDENT PARKING PERMIT AREAS**

A. The City Council may designate certain residential areas as preferential resident parking permit areas. Working in conjunction with residents of affected neighborhoods, designated areas may be added, enhanced, limited or deleted after a public hearing is held on the matter.

B. The following areas have been specifically designated as areas of preferential resident parking:

600 East from 640 North to 380 North . Parking is restricted on the West side only. There are no restrictions on the area in front of the high school and the

Catholic church.

620 North

600 North

550 North (including all of the cul de sac)

520 North Parking is only restricted on the South side where a driveway or residential access exists. The remainder of 520 North is without restrictions as they apply to this chapter.

400 North

630 East

See attached Exhibit A.

1.34.060 HOURS OF REGULATION

Times during which parking is regulated shall be set by the City Council. Unless otherwise designated, the restrictions shall be from 6:00 a.m. until 6:00 p.m. when school is in session.

1.34.070 RESIDENTIAL PARKING PERMITS

- A. Each residence within a neighborhood parking permit area shall be eligible for as many parking permits as reasonably needed to accommodate the resident's parking needs including visitor parking needs.
- B. Proof of residency shall be determined through public records.
- C. Permits shall be hung from the rear view mirror.
- D. In the designated residential parking area, no permits may be used by students who do not live in the residential parking area.
- E. Any vehicle which does not display a valid parking permit in the regulated parking area shall be subject to the consequent penalties in effect for such area.
- F. Permits may be obtained at the American Fork Public Works Department.

1.34.080 POSTING OF RESIDENTIAL PARKING AREA

Upon the designation of an area as a residential permit parking area, the City shall erect appropriate signs or markings indicating prominently thereon the area prohibition and that vehicles may be towed.

1.34.090 EXCEPTIONS

If a large group gathering is planned by one of the residents of the regulated parking area, they may notify the American Fork Police Department at least 24 hours prior to the event or gathering and the Police Department will work with the neighbors to facilitate a plan that may require limited adjustments to the imposed parking restrictions.

1.34.100 DESIGNATED AREAS FOR RESIDENTIAL PARKING PERMITS

A residential parking permit is issued for the specific area in which the residence is located.

1.34.110 AVAILABILITY OF PARKING STALLS

The issuance of a permit does not guarantee a parking stall. These are filled on a first come, first serve basis. The number of parking permits issued may be greater than the number of stalls available at any given time.

1.34.120 ENFORCEMENT AND PENALTIES

- A. The American Fork City Police department shall enforce the provisions of this chapter.
- B. It shall be unlawful for any person to park a motor vehicle in violation of the area prohibitions established by this chapter.
- C. It shall be unlawful for a person holding a valid parking permit to allow the use or display of said permit on a motor vehicle other than that for which the permit was issued. Such an act constitutes a violation by both the person holding the valid permit and the person who uses or displays the permit on a vehicle other than the one for which the permit is issued.
- D. It shall be unlawful and a violation of this chapter for any person to copy or otherwise bring into existence a facsimile or counterfeit parking permit.
- E. Violators may be ticketed and /or towed or booted. Such decision shall be made by the American Fork Police and/or officer at the scene. If said vehicles are towed, they shall be impounded until the owner has paid the reasonable costs of towing/booting and storage.
- F. Violation of any provision of this chapter may be prosecuted as a Class C

Misdemeanor.

1.34.130 REVOCATION OF PERMIT

The City is authorized to revoke the residential parking permit of any person found to be in violation of this chapter, and upon written notification, the person shall surrender the permit to the American Fork Police Department. Failure to surrender such permit shall be deemed a violation of law. If such residential parking privileges are revoked, the resident may be prohibited from obtaining any residential parking permit for one year.

1.34.140 SEVERABILITY

If any provision or clause of this chapter or its application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses, or applications which can be implemented without the invalid provision, clause, or application. To this end, the provisions of this chapter are declared severable.

1.34.150 EFFECTIVE DATE

This ordinance shall take effect September 1, 2009.

Passed by the American Fork City Council this 20 day of August, 2009.

ATTEST:

h. m. Al
Municipal Recorder

Heber M. Thompson
HEBER M. THOMPSON
American Fork City Mayor



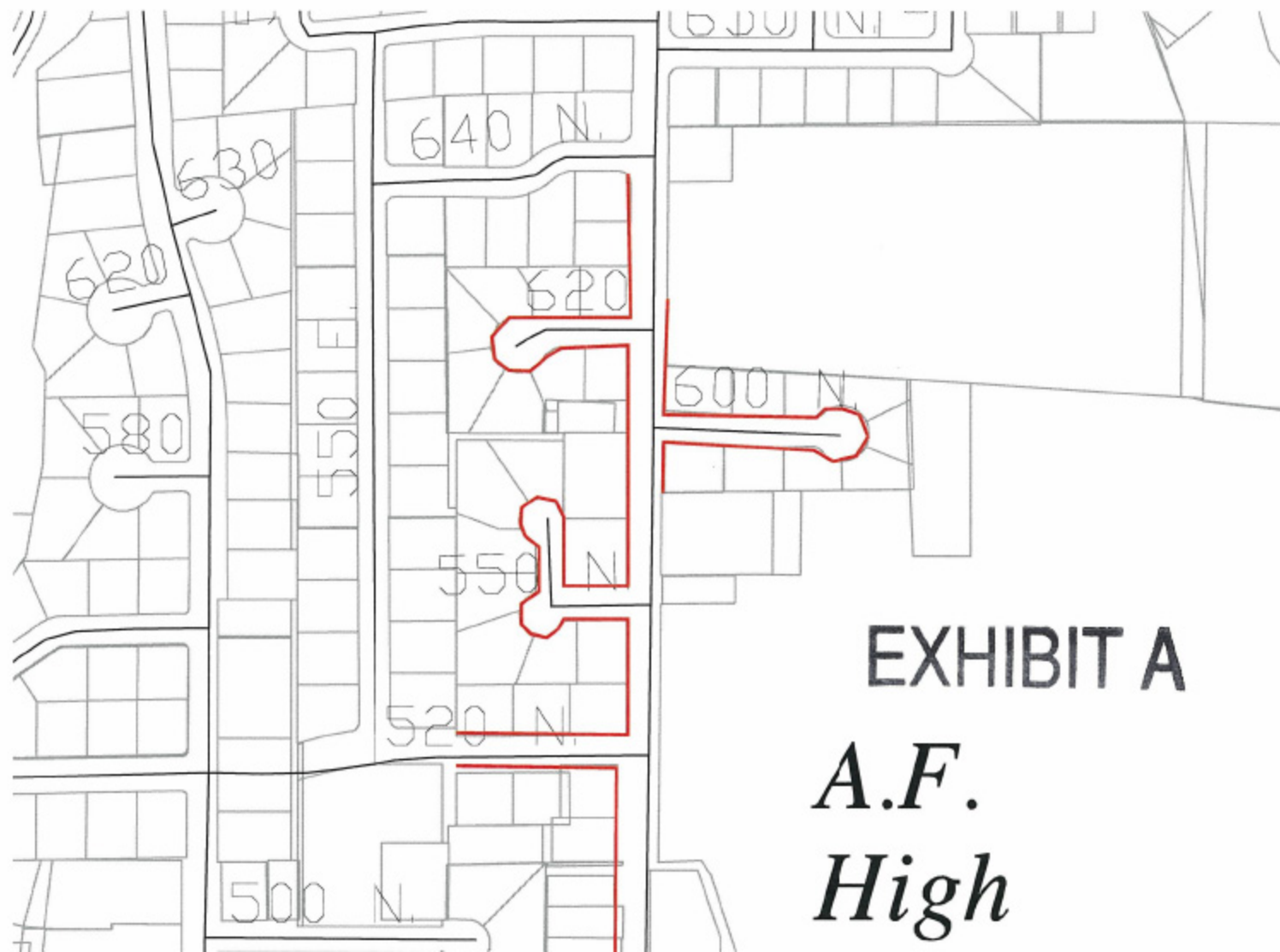


EXHIBIT A

***A.F.
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