ORDINANCE NO. 20 , 2008

AN ORDINANCE RESTRICTING SNOW EMERGENCY PARKING AND DECLARING AN EMERGENCY

WHEREAS, a recommendation has been made by the Public Works Committee to enact regulations in the City governing parking during declared Snow Emergencies; and

WHEREAS, the Public Works Department has recommended the City implement such Snow Emergency parking throughout the City and post appropriate signage at City entrances and such other places as the Department determines appropriate to communicate the restriction within the City limits;

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Montgomery, Ohio, that:

SECTION 1. "Snow Emergency" means a period of time declared by the City Manager, or his designee, when the United States Weather Bureau forecasts snow or ice with the prospect of ice and/or snow accumulations to the extent that it could or will impair the safe movement of vehicular traffic within the City. Special parking restrictions become effective when these weather conditions exist and a Snow Emergency is declared. The Snow Emergency shall exist from the time it is formally announced until the time it is formally cancelled.

SECTION 2. Whenever a Snow Emergency is declared, the City Manager, or his designee, shall request the local news media to announce the Snow Emergency and the time of the declaration, and/or notice of declaration shall be

provided through the City's emergency notification network and City website. A Snow Emergency shall be deemed to be in effect and owners and operators of motor vehicles shall be deemed to have notice of the Snow Emergency two (2) hours after the official declaration from the City Manager is sent to the media and/or posted on the City website and broadcast through the City's emergency notification network. After that two (2) hour time period, motor vehicle owners and/or operators are subject to the prohibitions of this Ordinance. Cancellation shall be effected in the same manner.

SECTION 3. (A) Whenever a Snow Emergency is in effect, no person shall stop or allow to be stopped, abandoned, or leave unattended any motor vehicle on a public street in the City.

(B) The owner or operator of a motor vehicle found in violation of this section shall be deemed to have committed a parking infraction, and shall be responsible for all towing and storage costs for such vehicle towed during the Snow Emergency in addition to any other penalty which may be imposed.

(C) Any motor vehicle found stopped in a prohibited area during a Snow Emergency may be removed by order of the police.

SECTION 4. The City Manager, or his designee, shall designate by administrative regulation streets, parts of streets, or areas of the City for which stopping shall be prohibited during the Snow Emergency time. The City Manager shall designate locations for the posting of "No Stopping During Snow Emergency" signs.

SECTION 5. The owner or operator of a motor vehicle found in violation of the prohibitions of this Ordinance shall be guilty of a minor misdemeanor parking infraction, and in addition to any fine which may be imposed, the owner or operator of a

motor vehicle found in violation of this Ordinance shall be responsible for all towing and storage costs for such vehicle during the Snow Emergency.

SECTION 6. In order to ensure that the amendments to the ordinance can be implemented immediately in the event of winter weather, this ordinance is hereby declared to be an emergency measure necessary to preserve the public peace, health, safety and welfare, and as a result it shall take effect immediately upon passage.

PASSED: December 3, 2008

ATTEST: Susan J. Hamm
Susan J. Hamm, Clerk of Council

Gerri Harbison, Mayor

APPROVED AS TO FORM:

Terrence M. Donnellon, Law Director