WHEREAS, Midvale City is authorized to regulate the “use of streets, alleys, avenues, sidewalks, crosswalks” under Utah Code Ann. § 10-8-11; and

WHEREAS, the City is authorized to adopt “additional traffic ordinances not in conflict with [Utah Code Ann. Title 41, Chapter 6a ‘Traffic Code’]” under Utah Code Ann. § 41-6a-207(3); and

WHEREAS, the City is authorized to “pass all ordinances and rules […] to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of the property in the city” under Utah Code Ann. § 10-8-84(1); and

WHEREAS, many of the City’s streets are narrow and have a direct impact on the safety, health, comfort, and convenience of the City’s residents; and

WHEREAS, many of the provisions of the City’s existing parking laws only apply to motor vehicles; and

WHEREAS, City streets are being used to park and store non-motorized vehicles such as trailers; and

WHEREAS, City streets are increasingly being used to park oversized vehicles such as recreational vehicles and semitrucks; and

WHEREAS, the parking and storage of these vehicles on the City’s streets has made plowing snow in the winter difficult and dangerous, increased congestion in neighborhoods, negatively impacted the safety of drivers and pedestrians, reduced the attractiveness of the City, and decreased the convenience of driving and parking of residents and visitors; and

WHEREAS, the existing parking laws do not exempt authorized emergency, government, and contractor vehicles that are performing their official functions from their requirements; and

WHEREAS, some violations of the existing parking laws carry penalties of class B misdemeanors; and
WHEREAS, the City Council recognizes the impact of all parked vehicles, whether motorized or not, and desires to make the City’s parking laws apply to all vehicles; and

WHEREAS, the City Council desires to reduce congestion and obstacles on its narrow roads, improve the health and safety of its residents, employees, and contractors, protect the property of the City and its residents, and improve the appearance of the City; and

WHEREAS, the City Council desires to give emergency responders, government employees, and government contractors the maximum flexibility to provide services to City residents and businesses and to respond to emergencies; and

WHEREAS, the City Council desires to reduce the penalty of many of the violations of the City’s parking laws to infractions.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Midvale City, Utah as follows:

SECTION I

The City Council desires to amend Midvale Municipal Code Chapter 10.16 ‘Parking’ as set forth in Exhibit A.

SECTION II

A violation of this ordinance includes the possibility of imprisonment. As such, Midvale City is required, under Utah Code Ann. § 78B-22-301, to provide for indigent legal defense, as that term is defined in Utah Code Ann. § 78B-22-102.

SECTION III

This ordinance shall be effective upon date of first publication.

PASSED AND APPROVED this 4th day of June, 2019.

[SEAL]

VOTING:

Paul Glover  Yea ✔  Nay 
Quinn Sperry  Yea ✔  Nay 
Paul Hunt  Yea ✔  Nay 

Midvale City

By: [Signature]
Mayor Robert M. Hale
Bryant Brown  Yea  Nay
Dustin Gettel  Yea  Nay

ATTEST:

Rori L. Andreason, MMC
City Recorder

Published this 11 day of June, 2019.
Chapter 10.16

PARKING

Sections:
10.16.010 Parking or blocking streets or highways.
10.16.020 Signs—Traffic control devices.
10.16.030 Restricted parking areas—Designated misdemeanor.
10.16.040 Unlawful parking at curb.
10.16.050 Parking for certain purposes prohibited.
10.16.060 Loading zones.
10.16.070 Exceptions for physicians and emergency vehicles.
10.16.080 Alleys.
10.16.090 Cab and bus stands.
10.16.100 Parking for more than forty-eight hours.
10.16.110 Vehicles required to be inspected.
10.16.120 Limited winter parking.
10.16.130 Regulation of traffic and parking on school grounds.
10.16.140 Parking near mailboxes.
10.16.150 Overnight parking of certain vehicles prohibited.
10.16.160 Authorized emergency vehicles.

10.16.010 Parking or blocking streets or highways.
In addition to the parking provisions contained in the Utah Traffic Code, as adopted by the municipality, it shall be a class B-C misdemeanor for any person or vehicle to:

A. Remain standing, lying or sitting on any street or highway in such a manner as to obstruct the free passage of vehicular or pedestrian traffic thereon;

B. Willfully remain standing, lying or sitting on any street or highway in such manner for more than one minute after being requested to move by any police officer, or

C. Willfully remain on such street or highway in such manner as to obstruct the free passage of any person or vehicle into or out of any property abutting upon the street or highway or any property having access to such street or highway. (Prior code § 11-341)

10.16.020 Signs—Traffic control devices.
The governing body may authorize or direct any person employed by the municipality to erect or install any sign or traffic control device required to enforce the provisions of this chapter. (Prior code § 11-342)

10.16.030 Restricted parking areas—Designated misdemeanor.
It shall be a class B misdemeanor to park or leave standing at any time a motor vehicle, as defined in the traffic code, as adopted by the municipality, in any of the places described in the appropriate appendix to this section on file in the office of the clerk/ recorder, when properly posted, except when necessary to avoid interference with other traffic or in compliance with the directions of a policeman or traffic control device. (Amended during 1988 codification; prior code § 11-343)

10.16.040 Unlawful parking at curb.
No motor vehicle shall be parked with the left side of the vehicle next to the curb, except on one-way streets. It is unlawful to stand or park any motor vehicle on a street other than parallel with the curb and with the two right wheels of the vehicle within twelve inches of the regularly established curb line except on those streets which have been marked for angle parking; then a vehicle shall be parked at the angle to the curb indicated by such marks. A violation of this section is an infraction. (Prior code § 11-344(A))

10.16.050 Parking for certain purposes prohibited.
No person shall park or operate a motor vehicle upon any street, alley or roadway in the City for the purpose of:

The Midvale Municipal Code is current through Ordinance 2019-O-02, passed March 5, 2019.
A. Displaying such vehicle for commercial sale;

B. Greasing or repairing such vehicle, except for repairs necessitated by an emergency; or

C. Selling foodstuffs or any other merchandise.

A violation of this section is an infraction. (Ord. 8/23/2005O-11: Ord. 050179D § 2, 1979: prior code § 11-344(B))

10.16.060 Loading zones.

It is unlawful for the driver of a passenger, motor, or freight-carrying vehicle for a period of time longer than is necessary to load, unload and deliver materials in any place designated as a loading zone and marked as such. (Prior code § 11-344(C))

10.16.070 Exceptions for physicians and emergency vehicles.

It is unlawful for any person, except physicians on emergency calls or designated emergency vehicles, when properly posted, to park any motor vehicle on any street in violation of the posted restrictions. (Prior code § 11-344(D))

10.16.080 Alleys.

No person shall park a motor vehicle in an alley in such a manner or under such conditions as to leave less than ten feet of the width of the roadway available for the free movement of vehicular traffic. No person shall stop, stand or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property. A violation of this section is an infraction. (Prior code § 11-344(E))

10.16.090 Cab and bus stands.

No motor vehicle other than a licensed taxicab shall be parked in any area designated by ordinance as a taxicab stand, and no vehicle other than a bus shall be parked in a place designated as a bus loading zone. A violation of this section is an infraction. (Prior code § 11-344(F))

10.16.100 Parking for more than forty-eight hours.

Unless otherwise posted, it is unlawful for any person to park or leave standing on any public road, street, alley or municipal property any motor vehicle for forty-eight or more consecutive hours, and any vehicle so parked or left standing may be impounded or removed by the chief of police City. For the purposes of impoundment and removal, the chief of police City may impound and remove any vehicle which reasonably appears to have remained unmoved for forty-eight consecutive hours. The cost of impoundment and removal shall be charged to the owner who claims the impounded motor vehicle. (Prior code § 11-344(G))

10.16.110 Vehicles required to be inspected.

No person shall stop, stand or park, nor shall any owner or person in possession, cause or knowingly permit to be stopped or parked on any street, alley or roadway within the City, any vehicle which is required under the laws of the state to be inspected, unless such vehicle has been inspected and has attached thereto in proper position, a valid and unexpired certificate of inspection as required by the laws of the state. A violation of this section is an infraction. (Ord. 050179D § 3, 1979: prior code § 11-344(H))

10.16.120 Limited winter parking.

It is unlawful for the driver of any vehicle to be parked a motor vehicle on any street in the municipality between the first day of November of each year and the first day of March of the following year, for a period of time longer than three minutes when loading or unloading passengers and for a period of time longer than thirty minutes when loading, unloading or delivering property between the hours of one a.m. and six a.m. on all streets within the City. (Prior code § 11-345)

10.16.130 Regulation of traffic and parking on school grounds.

Pursuant to the authority granted by Section 53-6-2053G-4-402, Utah Code Annotated, 1953, after conferring with the local boards of education have delegated the regulation of traffic and parking on school grounds within the City to the City Council. With this delegated authority, the City Council enacts and adopts the following rules and regulations relating to the control of traffic and parking on school grounds:

The Midvale Municipal Code is current through Ordinance 2019-O-02, passed March 5, 2019.
A. Applicable state, county and city traffic and parking regulations shall be enforced upon school and school district property.

B. Maximum speed on school and district premises shall be ten miles per hour.

C. Vehicular traffic is limited to entering, exiting and parking. No cruising or loitering will be permitted.

D. All vehicles are restricted to designated roadways. Motorized vehicles may not be driven on lawns, paths or other prohibited areas.

E. No parking will be allowed in the areas where the curb is painted red, designated “NO PARKING,” or where such parking would obstruct regular vehicular traffic.

F. Students, staff and faculty shall not park in areas designated “FOR VISITORS” or “RESERVED.”

G. The following rules and regulations relate to the registration, parking and control of vehicles by students:

   1. All district traffic and parking regulations and individual school regulations, if any, shall be distributed to every student and faculty member at or before the beginning of each school year.

   2. Students must register with the school all motor vehicles which will be driven or parked on school property. A registration decal must be displayed on the vehicle as follows:

      a. Cars: Left side of rear window.

      b. Trucks, rough terrain vehicles (jeeps, etc.): Lower right side of front window.

      c. Motor bikes and cycles: Rear frame or rear fender.

      d. Other vehicles: As designated by the issuer of the registration decal.

   3. Prior to vehicle registration at the local high school and issuance of the decal, the student must possess the following:

      a. A valid Utah driver’s license.

      b. A parent or guardian’s written permission for the student to bring a motor vehicle to school.

      c. A signed statement by the parent and student that they understand when any ear vehicle is on school property the car may be searched, if the school authorities have reasonable cause to suspect that materials that are in violation of municipal ordinances and the school code are stored therein and they further understand that any materials found may be seized and used as evidence in school disciplinary hearings or legal proceedings, or both.

   4. Students are to park in the designated parking areas and within parking spaces as directed by painted lines and signs.

   5. Faculty and staff parking shall be designated.

H. All regulatory signs utilized on district or school property shall be placed in conspicuous and appropriate areas of the grounds. All regulatory signs must be approved by the district prior to posting. (Prior code § 11-346)

10.16.140 Parking near mailboxes.
Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, or momentarily to pick up or discharge a passenger or passengers, no person shall park a vehicle, whether occupied or not, within fifteen feet of a public or private curbside mailbox between the hours of eight a.m. and five p.m. A violation of this section is an infraction. (Ord. 3/18/2003O-3 § 1, 2003)
10.16.150  **Overnight parking of certain vehicles prohibited.**
Unless otherwise posted, it is an infraction for any of the following vehicles to be parked on any street, alley, or roadway within the City between the hours of 1 a.m. and 6 a.m.:

A.  Buses;
B.  Mobile homes;
C.  Off-highway vehicles excluding street-legal ATVs;
D.  Pole trailers;
E.  Recreational vehicles;
F.  School buses;
G.  Semitrailers;
H.  Trailers;
I.  Truck tractors;
J.  Any vehicle without motive power; and
K.  Any vehicle that is more than 8 feet tall, 8 feet wide, 22 feet long, or has a gross weight in excess of 10,000 pounds.

10.16.160  **Authorized emergency, public, and highway work vehicles.**
The following are exempt from the requirements of this Chapter when performing their official function:

A.  Authorized emergency vehicles, as defined under Utah Code Ann. 41-6a-102, as amended;
B.  Publicly-owned vehicles;
C.  Highway vehicles and equipment engaged in work on a City street, alley, or roadway.