

ORDINANCE NO. 5-403-A12

AN ORDINANCE TO AMEND CHAPTER 5, ARTICLE 4. (PARKING) OF THE MUNICIPAL CODE FOR THE VILLAGE OF PLATTE CENTER, NEBRASKA, RELATING TO THE PROVISION FOR NO PARKING AREAS WITHIN THE VILLAGE:

BE IT ORDAINED BY THE CHAIRMAN AND VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PLATTE CENTER, NEBRASKA:

Section 1. That Chapter 5, Article 4 of the Municipal Code of the Village of Platte Center, Nebraska, shall be amended as follows:

5-418. Parking; No Parking Areas.

1. Parking prohibited at all times: No person shall park a vehicle at any time or allow same to remain parked upon any of the road or parts thereof described below: The East side of Platte Street; and, both sides of 1st Street; and, both sides of 3rd Street between "F" Street and "G" Street all ~~or 1st Street~~ in the Village of Platte Center, Nebraska.
2. Temporary No Parking areas: The Roadmaster may, from time to time, designate roads or sections of roads as "no parking" for special events, weather conditions or other appropriate reasons.
3. Signs: "No parking" signs shall be erected in conformity with Nebraska Regulations to enforce the provisions contained herein.

Section 2. Purpose. This Parking Ordinance intends to promote and maintain the public safety, well-being and convenience of the residents of the Village of Platte Center by regulating the parking of vehicles on Village Roads and on Village-owned property.

Section 3. Authority. This Ordinance has been adoption; which empower the municipal officers (Board of Trustee's) with the exclusive right to enact ordinances with regard to parking.

Section 4. Definitions. See attached appendix.

Section 5. Winter Parking Ban. From November 15th to April 15th, parking shall be prohibited along village roads from midnight to 6 a.m. Written or verbal warning will be given in all cases of violation. Any vehicle so parked may be moved or towed at the owner's expense within the scope of the towing guidelines of the Village (Section 8.1).

Section 6. Vehicles Not To Obstruct Traffic.

1. The operator of a motor vehicle shall park such vehicle with curb-side wheels as far off the road surface as possible. Double parking is prohibited.
2. A vehicle shall not be parked in any street so as to prevent or obstruct the passing of vehicular traffic or emergency vehicles. (Ambulance passage requires a road width of ten (10) feet.)

3. No "oversized vehicle" shall be permitted to park or stand upon any public street in the Village for a longer period than two (2) hours, except when loading or unloading or performing maintenance work.
4. If the owner of an "oversized vehicle", for reasons related to construction or to hardship, wishes to stand or park on Village roads for periods longer than those specified in Section 5.3, the owner must request exceptional permission from the Board of Trustee's.

Section 7. No Parking Zones. The Board of Trustee's may establish and then erect and maintain signs indicating that no parking is permitted in specified areas or on one or both sides of a specified street. (See Appendix for current list.)

Section 8. Parking on Village Property.

1. No unlicensed or unregistered vehicles shall be parked on Village property.
2. Areas available for parking: see Appendix for list.

Section 9. Emergency Removal. Any vehicle parked upon a public street or on Village property in a place or manner prohibited by this Ordinance is hereby declared to be an obstruction in the public way. The Village Agent may cause the removal, at the owner's expense, of any motor vehicle in violation of this ordinance, which is posing an immediate threat to public safety.

Section 10. Enforcement. It shall be the duty and responsibility of the Village Board of Trustee's and the Platte County Sheriffs Department to enforce the Parking Ordinance in the summer months; The Village Board of Trustee's and the Platte County Sheriff's Department shall enforce the Ordinance in the non-summer months.

Section 11. Penalties. Illegal parking of a vehicle in violation of this Ordinance is a civil violation. Verbal warning or issuance of warning tickets will inform vehicle owners of violations. There will be a Five Hundred Dollar (\$500.00) fines plus the cost of towing after the second violation.

Section 12. Prima Facie Evidence of Operation. No person shall allow any vehicle registered in his or her name to park in violation of the provisions of this Ordinance. The fact that a vehicle is unlawfully parked or stored shall be prima facie evidence of the unlawful parking of such vehicle by the person in whose name the vehicle is registered.

Section 13. Liability. Parking of motor vehicles, boats, or trailers on Village Property or beside Village roads shall be at the owner's risk. The Village bears no liability for any damage to property whether caused by weather, accident, or vandalism.

Section 14. Repeal of Prior Ordinances. Any and all prior ordinances or parts thereof or written policies or procedures heretofore adopted by the Board of Trustee's which are in conflict with the provisions of this Ordinance shall be repealed as of the effective date of this Ordinance.

Section 15. Validity and Severability. Should any section(s) or provision(s) of this Ordinance be declared by the courts to be invalid or non-enforceable, such decision shall not invalidate any other section or provision of this ordinance.

DEFINITIONS

1. "Village Road ": Any public road within the geographic confines of the Village of Platte Center, Nebraska.

2. "Park," "parked," "parking": a vehicle, which remains stationary in a street or on Village-owned property, without a driver and without the engine operating.

3. "Oversized vehicle": any vehicle which has a carrying capacity of more than three thousand (3000) pounds or which, including load, is more than twenty-two (22) feet in length, or which, including load, is more than eight (8) feet in width, or which, including load, is more than twelve feet six inches (12'6") in height.

NO PARKING ZONES

As of ~~November 1, 2011~~ November 13,, 2012 No Parking zones include:

1. The East side of Platte Street.
2. 1st Street.
3. Both sides of 3rd Street between "F" Street and "G" Street.

PARKING ON VILLAGE PROPERTY

Limited space is available for parking on Village-owned property.

1. North and south of 4th Street on E Street
- 2.
- 3.

This ordinance shall become effective immediately upon and be in full force and effect from and after its passage, adoption and publication or posting as providing by law.

PASSED AND APPROVED this 13th day of November, 2014.



Karla Costello
Attest: Village Clerk

Mark Borchers
Chairman



I, Karla Costello, Village Clerk of the Village of Platte Center, Nebraska, hereby certify that the attached Revised Ordinance # 5-403-A12, is a true and accurate, full and correct copy of the original document as the same appears in the Ordinance book of said Village: that said ordinance was duly passed and approved by the Board of Trustees on the 13th day of November 2012 and signed by the Chairman of the Board of Trustees on November 13, 2012. Said Ordinance was posted in three places as dictated by Village Ordinance on November 27, 2012. Ordinance was posted by the Village Clerk at the usual posting places: Auditorium, Bank of the Valley and Platte Center Post Office.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 27th day of November 2012.



Karla Costello, Village Clerk