

MODIFICATION AND ADDITION TO CITY OF GALENA ORDINANCE 2018-6

It is hereby ordained that changes and additions be applied to The City of Galena Ordinance 2018-6, an ordinance passed on November 01, 2018, as follows:

- That all strikethrough text (eg; ~~strikethrough~~) be henceforth removed from the chapter and section.
- That all bold and underlined text (eg; **bold and underlined**) be henceforth added to the chapter and section.
- That all unenhanced text (eg; regular text) shall remain as adopted in the original Ordinance 2018-6 and copied herein.
- That the remaining, unmentioned chapters and sections of Ordinance 2018-6, with any changes previously adopted, shall remain unchanged and in full effect.

CHAPTER 3, SECTION 3.0222 BE MODIFIED AND SUPPLEMENTED AS FOLLOWS:

3.0222 Uniform Traffic Ticket to be Issued when Vehicle Illegally Parked or Stopped

~~Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by ordinance of the City or by state law, the officer finding such vehicle shall take its registration number and any information which may identify its user, and shall conspicuously affix upon such vehicle a uniform traffic ticket for the driver to answer the charge against him at a place and time specified in the traffic ticket.~~

Parking, standing, and stopping-related Uniform Traffic Tickets shall be subject to the following:

- 1 **Whenever any vehicle with a known or readily identifiable driver is found parked, standing, or stopped in violation of the restrictions imposed by ordinance of the City or by state law, a city police officer may issue a uniform traffic ticket to the driver who shall timely answer the charge against them.**
- 2 **If the identity of the vehicle driver that parked or stopped the vehicle in violation of any parking restriction is not known to the issuing police officer, the officer may issue a uniform traffic ticket in the name of the registered owner, utilizing the ownership information maintained by the Missouri Department of Revenue or its corresponding out-of-state registration agency. The ticket shall be conspicuously affixed upon the parked vehicle or mailed via first class mail to the registered owner's address of record.**
 - a. **A vehicle owner whose name appears on a parking, standing, or stopping-related ticket shall be deemed to be the violator, is culpable, and is liable for the violation, and shall timely answer to the charge.**

- b. If the vehicle is leased, the owner-lessor shall not be deemed the violator or culpable for the violation, so long as they provide the lessee's identifying information, upon written request of a city police officer, and do so within 3 business days. Failure to provide the lessee information to the officer within this period will reinstate the culpability of the owner-lessor, who shall be liable for any associated penalty.
- c. Regardless of other penalties authorized or prescribed by ordinance or law, the maximum permissible penalty for a non-present owner cited under subsection (2) shall be a \$50 fine (plus any court costs) and no incarceration.

Any person desiring to make a court appearance, plead guilty, and/or pay the fine for a parking, standing, or stopping-related uniform traffic ticket shall, before taking such action, provide the city court clerk with sufficient personal details as the clerk deems necessary to enter the ticket into the State Court Records System.

CHAPTER 3, SECTION 3.0240 BE MODIFIED AND SUPPLEMENTED AS FOLLOWS:

3.0240 Penalty For Violating Any Ordinance of the Traffic Code

It shall be unlawful for any person to violate any provision, section, or part of the Traffic Code ordinance. The penalty for violating any ordinance, section, or part of this traffic code is a fine of up to \$500.00 or up to 90 days in jail, both fine and confinement, or the maximum allowed by state law.

Each calendar day in which an offense or violation of traffic code, other ordinance, notice, or rule occurs shall constitute a separate offense.

The municipal judge may, by standing order or on a case-by-case basis, waive all or part of the court costs associated with parking, standing, or stopping-related violation tickets, and may base such waiver on the timing from when the ticket was issued to when it is disposed of through appearance or payment.

CHAPTER 3, SECTION 3.0302 BE MODIFIED AND SUPPLEMENTED AS FOLLOWS:

3.0302 Manual and Specifications for Official Traffic Control Devices, Continued. Placement of certain markings and items prohibited.

All traffic control markings, signs, signals and devices shall conform to the manual and specification approved by the state highway and transportation commission or resolution adopted by the legislative body of the City erected or placed by, or at the direction of, the Chief of Police, City Traffic Engineer, the Missouri Department of Transportation, or their affiliated personnel inside the city limits shall be deemed official traffic control devices. These devices shall be obeyed and shall not be defaced, altered, or removed without the consent of the installer. Official traffic control devices shall enjoy the presumption of being legal and accurate, and shall serve as prima facie evidence of a violation.

All official traffic control devices signs or signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the City, printed in English or use easily-recognizable symbols or markings, and be erected or placed in a manner so as to be visible from the roadway or applicable parking area. All traffic control devices so erected and not inconsistent with the provisions of this ordinance shall be official traffic control devices.

No person shall place or erect, or cause to be placed or erected, any item which resembles an official traffic control device upon, near, or adjacent to a roadway inside the city. Any police officer may cause such item to be promptly removed if, in the officer's discretion, the item poses a safety hazard to motorists or pedestrians. Such item may then be retained as evidence for presentation in court.

CHAPTER 3, SECTION 3.1001 BE MODIFIED AND SUPPLEMENTED AS FOLLOWS:

3.1001 Standing or Parking Close to Curb

Except in zones otherwise marked, as otherwise provided, every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right-hand wheels of such vehicle parallel to and within eighteen inches of the right-hand curb, or right-hand curb area, if no curb exists.

if curb or curb area parking is permitted, and the area is marked with parking lines perpendicular to the curb or curb area, then no person shall park or stop a vehicle unless the vehicle is between the marked lines.

CHAPTER 3, SECTION 3.1003 BE MODIFIED AND SUPPLEMENTED AS FOLLOWS:

3.1003 Obedience to Angle Parking Signs or Markers

On those streets which have been signed or marked by the Chief of Police, city traffic engineer, or designated contractual Law Enforcement Personnel for angle parking, no person shall park, stop, or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings, with the front of the vehicle parked, standing, or stopped no further than eighteen inches from the curb or curb-area, if no curb, and within the lines designated for that parking space.

No vehicle shall be parked, standing, or stopped in an angled space so as to interfere with the flow of traffic or if it exceeds the length of the designated space by more than one-third of the designated space's length.

CHAPTER 3, SECTION 3.1034 BE MODIFIED AND SUPPLEMENTED AS FOLLOWS:

3.1034 No Parking, Standing or Stopping, Parking Signs Required

Whenever any time limit or reservation on parking, standing or stopping is imposed, it shall be the duty of the Chief of Police ~~or designated contractual Law enforcement Personnel~~, **City Traffic Engineer, the mayor, or their designee** to erect or place appropriate signs or markings giving notice thereof and no such regulations or limits shall be enforced unless the signs or markings are in place. A sign or marking must be placed within 30 feet from the parking space, area, or slot it controls or regulates.

No person shall park, stop, or stand a vehicle in violation of such limits, prohibitions, or regulations when signage or markings are in place.

TO CHAPTER 3, SECTION 3.1036 BE ADDED AS FOLLOWS:

3.1036 Parking Restrictions, Regulations, and Overtime parking.

The City hereby imposes these additional restrictions and regulations relating to parking, standing, and stopping in these designated areas of the city:

- 1 **STATE-RESTRICTED OR REGULATED PARKING VIOLATION**
 - a. No person shall park, stop, or stand in violation of any time, space, or zone restrictions imposed by the Missouri Department of Transportation, its designees, or its contractors, as they relate to parking upon or adjacent to a state highway within the city.
- 2 **OVERTIME PARKING VIOLATION**
 - a. No person shall park, stop, or stand a vehicle for a period of over two hours in the following designated areas, unless such vehicle is moved away from the same designated area for a period of at least four hours:
 - i. On Fourth Street, between Main Street and Maple Street.
 - b. Overtime parking shall not apply to any vehicle which is properly displaying a government-issued handicapped placard or license plate and is being operated and parked in compliance with the state laws governing the use of handicapped placards and plates.
- 3 **RESERVED PARKING VIOLATION**
 - a. No person shall park, stop, or stand a vehicle in a parking space or spot unless done so in compliance with the reserved use or restriction indicated on the sign or marking of:
 - i. One parking spot on Fourth Street, between Main Street and Maple Street, designated for City Hall use.
 - ii. One parking spot on Fourth Street, between Main Street and Maple Street, designated for City Hall use – with a time limit.
 - iii. One parking spot on Fourth Street, between Main Street and Maple Street, designated for the Stone County Health Department's use.
 - iv. One parking spot on Fifth Street, between Main Street and Maple Street, designated for the Stone County Assessor's Office use.

TO CHAPTER 3, SECTION 3.1814 BE ADDED AS FOLLOWS:

3.1814 Temporary closures and limitations of roadways and sidewalks

The Chief of Police, City Traffic Engineer, mayor, or their designee, may close, limit access to, control the parking on, or prohibit the use of, any roadway, highway, alleyway, parking spot, public parking lot, or sidewalk in the city for the following reasons and subject to the following:

- 1 As needed, in their discretion, to accommodate authorized functions, parades, carnivals, and construction or repair, provided:**
 - a. Such closure or limitation is marked, signed, flagged, or barricaded to give a person reasonable notice that the closure or limitation exists.**
 - b. That no vehicle parked in the area prior to the limitation or closure shall be ticketed unless the area had been posted with signs notating the parking restriction at least 24 hours prior to the limitation or closure.**
 - c. Such closure or limitation may not exceed thirty calendar days, without an affirming vote of the Board of Alderman.**
 - d. At any time, by an official vote, the Board of Alderman may reverse the closure or limitation imposed by the Chief of Police, City Traffic Engineer, mayor, or their designee.**
- 2 As needed, in their discretion, due to weather emergencies or natural disasters, provided:**
 - a. If a less-than-citywide closure or limitation is implemented, such closure or limitation is marked, signed, or barricaded to give a person reasonable notice that the closure or limitation exists.**
 - b. Any time a citywide closure or limitation is implemented, the authorizing official shall cause notice of such restriction or closure to be placed on the city's website or social media, along with notice at city hall. Further, signage indicating a city-wide closure or limitation shall be conspicuously placed at or near the intersection of Fourth and Main Streets, along with at least one other sign in an area visible along a roadway in the city.**
 - c. Such closure or limitation may not exceed fourteen calendar days, without an affirming vote of the Board of Alderman.**
 - d. At any time, by an official vote, the Board of Alderman may reverse the closure or limitation imposed by the Chief of Police, City Traffic Engineer, mayor, or their designee.**

It shall be a violation of ordinance for any person to drive, park, ride, or walk in or upon the areas which are closed, restricted, or otherwise limited by this section.

Any person not so authorized by this section who places a barricade, flag, sign, or marking indicating a closure of, or otherwise blocks, any roadway, highway, alleyway, parking spot, public parking lot, or sidewalk, shall be in violation of ordinance.