

TITLE EIGHT - TRAFFIC AND PARKING

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CHAPTER 1 - TRAFFIC REGULATIONS

8-1-010. Adoption of Selected Utah State Traffic Laws.

A. Titles 41 and 53 of Utah Code Annotated, as they may from time to time be amended, are adopted by reference and are made a part of the ordinances of Salem City as if fully set forth in the body of the municipal code and shall take effect and be controlling with the limits of the city; provided, however, that this chapter is not intended to nor does it purport to grant to the city any powers or jurisdictions not specifically or by implication granted by law. Any section included within titles 41 or 53 of the Utah Code Annotated dealing with administrative or state agencies or other matter not applicable to traffic and motor vehicle control and regulation are hereby excluded from the said ordinances of the city. (Ord. No. 8-10-93)

B. All ordinances of Salem City or statutes of the State of Utah relating to foot or vehicular traffic as set forth in paragraph A shall be applicable and enforceable upon school property of the Nebo School District located within Salem City. (i) for purposes of subparagraph (B), any reference to highway, street, public right of way, roadway, public roadway, or other similar term used to designate thoroughfares for use by motor vehicles shall include and refer to school parking lots, rights of way, roads, lanes, or other areas designated for vehicular use on school property. (Ordinance 3-19-08-B)

8-1-020. Violation-Penalties.

Any person violating, causing or permitting a violation of any provision of this chapter or the provisions adopted or incorporated by reference is guilty of an infraction unless, within the provisions of the chapter or provisions adopted or incorporated by reference, a greater or lesser penalty is specifically provided.

8-1-030. Improper Lookout.

It is a violation of this chapter for any person to drive any vehicle on the streets of the city without keeping a reasonable and proper lookout for other traffic, objects, fixtures, or property thereon or adjacent thereto.

8-1-040. Private Drives and Parking Lots.

It is a violation of this chapter for any person to drive nonstop through or across any private driveway or parking lot, or to block the access or use of any private driveway or parking lot by those entitled to the access or use thereof.

8-1-050. Transportation of Waste.

It is a violation of this chapter for any person to transport upon the city streets any materials unless the same is contained or covered in such a manner so as to prevent spillage or blowing of the material from the vehicle.

8-1-060. Street legal All Terrain Vehicles.

- A. Street legal all terrain vehicles are authorized to be used on all city streets in accordance with this section and with Utah law set forth in Utah Code Annotated §41-22-10.5. Street legal all terrain vehicles are not to be driven upon any Federal or State Highways, including, but not necessarily limited to, State Road 198. Any other or future Federal or State Highways, limited access Highways, or City streets which have more than one lane in the same direction are also excluded from this section.
- B. In order to be street legal, all terrain vehicles must meet all of the criteria as set forth in Utah Code Annotated §41-6a-1509. The definitions of all terrain type I and type II vehicles as set forth in Utah Code Annotated §41-22-2 are incorporated herein.
- C. All operators of street legal all terrain vehicles must have in their possession a valid driver's license, with appropriate endorsements.
- D. All traffic rules and regulations shall be followed by any operator of a street legal all terrain vehicle. (ordinance 9-16-09B)

CHAPTER 2 - PARKING

8-2-010. Angle Parking.

Angle parking is permitted within the city only where designated by appropriate markings.

8-2-020. Illegal Parking-General.

1. Towing and impoundment. The following vehicles, together with or in addition to any other vehicles, parked in violation of any provision of this title or the laws of the state, are declared to be nuisances:
 - A. Any unattended vehicle stopped, standing, or parked in violation of any of the provisions of this title;
 - B. A vehicle found upon the streets or alleys of the city with faulty or defective equipment;
 - C. A vehicle left unattended upon any bridge, viaduct, or any overpass or underpass, where such a vehicle constitutes an obstruction to traffic;
 - D. Any vehicle upon a street so disabled as to constitute an obstruction to traffic and the person in charge of the vehicle is by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal;
 - E. Any vehicle left unattended upon a street or alley and so parked illegally as to constitute a hazard or obstruction to the normal movement of traffic;
 - F. Any vehicle, apparatus, or miscellaneous property parked or stored in the same place on any street or alley, right-of-way or upon any public property continuously for 48 hours; (ordinance #41520)
 - G. Any vehicle, the driver of which has been taken into custody by the police department under such circumstances as would leave the vehicle unattended in a street, alley or restricted parking area;
 - H. Any vehicle found being driven on the streets not in a proper condition to be driven;
 - I. Any vehicle found so parked as to constitute a fire hazard or an obstruction to fire-fighting apparatus.
2. Any vehicle, apparatus, or miscellaneous property deemed to be a nuisance by subsection (1) may be summarily abated by removing such vehicle,

apparatus, or miscellaneous property by or under the direction or at the request of a police officer to a place of storage by means of towing or otherwise. (ordinance #41520)

8-2-030. Notice to Owner.

As soon as is reasonable under the circumstances, a written notice that the vehicle has been impounded shall be mailed to the owner of the vehicle and any recorded lien holder thereof at their last known address as shown by the records of the Motor Vehicle Division or the Utah State Tax Commission. If the license plates on the vehicle are from another state, written notice shall be mailed to the department of motor vehicles in that state, requesting the department of motor vehicles in that state to notify the registered owner of that vehicle that the same has been impounded by the police department and that the same shall be sold at public auction as is provided by this chapter, if not claimed by the owner or his or her proper representative.

8-2-040. Procedure for Owner to Claim Vehicle.

Before the owner or his or her agent shall be permitted to remove a vehicle which has been impounded he or she shall;

- A. Furnish satisfactory evidence to the police department of his or her identity and his or her ownership of the vehicle; (10.12.030)
- B. Request and obtain from the police department a written order to the place of storage in which the vehicle is impounded, authorizing the release of the vehicle to the owner or his or her agent upon the payment to the place of storage of towing and storage charges reasonably incurred in the towing and storage of the vehicle from the date of said impounding to the time of presenting the order of release from the police department therefore;
- C. Sign a written receipt for the vehicle and deliver the same to the place of storage upon receiving the impounded vehicle.

8-2-050. Unclaimed Vehicles-Advertisement and Auction.

If, at the expiration of fifteen days after mailing the notice provided for in §8-2-030 such vehicle is not redeemed by the owner or his/her proper representative, the chief of police or his/her authorized agent shall proceed to sell the same at public auction to the highest bidder after first giving at least ten days notice of sale by publishing the notice at least once in a newspaper of general circulation in the city, stating the time and place of the sale. The notice shall also describe the vehicle to be sold with reasonable certainty and shall state to whom, if anyone, the records of the office of the Motor Vehicle Division or the State Tax Commission show the same to belong, and if the name of the owner or recorded lien holder, if any is known, the police department shall send the owner or recorded lien holder a copy of the notice as published immediately after the publication of the same, which notice shall be mailed to their address as shown on the records of the Motor Vehicle Division or the Utah State Tax Commission. A copy of this notice as published shall immediately, after

publication, be mailed to the owner of the place of storage. The money received by the chief of police or his/her authorized agent from the sale of any vehicle shall be applied first to the actual cost of towing and storage of the impounded vehicle, then to pay the cost of advertising the notice of sale, and the balance, if any, shall then be paid into the city treasury to be used as hereinafter provided.

8-2-060. Owner May Receive Proceeds of Sale-Conditions.

If at any time within one year from and after the date of sale, the former owner of the vehicle sold appears and makes a claim, and upon application to the city council and upon presentation of satisfactory proof that he/she was the owner of the vehicle sold, shall be paid the proceeds of the sale less the necessary expenses thereof and less the towing, impounding, and storage charges provided for in §§8-2-020 and 8-2-050.

8-2-070. Not To Prevent Criminal Prosecution.

The impoundment of a vehicle shall not prevent or preclude the institution and prosecution of criminal proceedings against the owner or operator of the impounded vehicle.

8-2-080. Improperly Registered Vehicles.

The police department may immediately impound, in a proper place of storage, all vehicles found that are improperly registered, stolen or bear defaced motor numbers, and shall within 96 hours thereafter notify in writing the Motor Vehicle Division or the Utah State Tax Commission of the impounding, setting forth in the notice the date found, the address where found, the make, registration number, and date and place where stored.

8-2-090. Parking of Cars on Vacant Lots.

It shall be an infraction for the owner of a motor vehicle, camper, trailer, boat, or other type of vehicle to park it or allow it to be parked on a vacant lot or parking lot owned by another person for the purpose of displaying it for sale, unless the owner or lessee of the property on which it is parked has a city business license to engage in the business of selling motor vehicles, campers, trailer, boats, or other vehicles at that location. It shall also be a class C misdemeanor for the owner or lessee of such property to allow another person to park a motor vehicle, camper, trailer, boat or other vehicle on the property for the purpose of displaying it for sale unless such owner or lessee has a city business license to engage in the business of selling such merchandise at that location.

8-2-100. Snow Removal From Streets.

(Ord. No. 11-12-96 – Section 8-1-100 (A))

- A. In order to facilitate the speedy and safe removal of snow from city streets, it is illegal for the owner or driver of any vehicle to park or cause or allow to be parked such vehicle upon a city street or right-of-way of a city street, except those streets lacking curb and gutter, in which case a vehicle may not be parked within ten feet of the asphalted portion of the roadway, between the hours of 11:00 p.m.

and 6:00 a.m. from November 1, through March 1, of the following year.

- B. "Vehicles" shall be defined to include, but not necessarily limited to automobiles, trucks, trailers, mobile homes, travel trailers, boats, motorcycles, buses, snowmobiles, and other objects used or capable of being used for transportation purposes whether for the transport of humans, animals or freight of any kind.
- C. A violation of this section shall be punishable as an infraction, in addition to any other penalties which may be imposed, including impoundment, pursuant to the provisions of this chapter.

8-2-110. Parking of Trucks.

- A. No truck or truck/trailer with a rated capacity of 2½ tons or more or licensed for more than 24,000 pounds gross, shall be allowed to be parked on public streets in any of the residential areas of the city for a period of time in excess of 2 hours except while actually loading or unloading merchandise. In no event shall it remain parked for longer than 8 hours.
- B. Except while unloading, no truck with a rated capacity of 2½ tons or more or licensed in excess of 24,000 pounds gross weight shall be parked on any public street closer than 30 feet to the entrance or exit or intersection with any private driveway, private street, alley, or public street.
- C. For purposes of this section the truck shall be deemed parked, even though the motor is running, if the vehicle is left standing for any period in excess of three minutes when the same is not attended by a driver lawfully authorized to drive said vehicle.

(Ord. No. 5-6-98-B)