

CHAPTER 79

PARKING REGULATIONS

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79.01.361 PARK ADJACENT TO CURB. No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the right-hand wheels of the vehicle within eighteen (18) inches of the curb or edge of the roadway except as hereinafter provided in the case of angle parking and vehicles parked on the left-hand side of one-way streets.

(Code of Iowa, Sec. 321.361)

79.02.361 PARK ADJACENT TO CURB - ONE-WAY STREET. No person shall stand or park a vehicle on the left-hand side of a one-way street other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the left-hand wheels of the vehicle within eighteen (18) inches of the curb or edge of the roadway except as hereinafter provided in the case of angle parking.

(Code of Iowa, Sec. 321.361)

79.03.361 DIAGONAL PARKING. Angle or diagonal parking is permitted only in the following locations:

(Code of Iowa, Sec. 321.361)

1. On Broadway Street on both sides from Mt. Pleasant Street to Wheeler Street;
2. On Glasgow Street on the south side from the alley between Broadway Street and Leffler Street to Broadway Street;
3. On Wheeler Street on the north side from Broadway Street east one-half block to the alley.
4. At 202 and 204 Broadway Street;
5. At 300 and 308 Broadway Street;
6. On Glasgow Street on the north side from Ramsey Street west one-half block to the alley;

7. On Melville Street on both sides from 203 and 204 Melville south to the West Highland Subdivision.

79.04.361 ANGLE PARKING - MANNER. Upon those streets or portions of streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at an angle to the curb or edge of the roadway or in the center of the roadway as indicated by such signs and markings. No part of any vehicle, or the load thereon, when parked within a diagonal parking district, shall extend into the roadway more than a distance of sixteen (16) feet when measured at right angles to the adjacent curb or edge of roadway.

(Code of Iowa, Sec. 321.361)

79.05.236 PARKING FOR CERTAIN PURPOSES ILLEGAL. No person shall park a vehicle upon public property for more than seventy-two (72) hours or for any of the following principal purposes:

1. Sale. Displaying such vehicle for sale;
2. Repairing. For lubricating, repairing or for commercial washing of such vehicle except such repairs as are necessitated by an emergency;
3. Advertising. Displaying advertising;
4. Merchandise Sales. Selling merchandise from such vehicle except in a duly established market place or when so authorized or licensed under this Code of ordinances.

(Code of Iowa, Sec. 321.236 [ 1 ])

79.06.358 PARKING PROHIBITED. No one shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic control device, in any of the following places:

1. Crosswalk. On a crosswalk.  
(Code of Iowa, Sec. 321.358 [ 5 ])
2. Center Parkway. On the center parkway or dividing area of any divided street.  
(Code of Iowa, Sec. 321.236 [ 1 ])
3. Mailboxes. Within twenty (20) feet on either side of a mailbox which is so placed and so equipped as to permit the depositing of mail from vehicles on the roadway.  
(Code of Iowa, Sec. 321.236 [ 1 ])
4. Sidewalks. On or across a sidewalk.  
(Code of Iowa, Sec. 321.358 [ 1 ])
5. Driveway. In front of a public or private driveway.

(Code of Iowa, Sec. 321.358 [ 2 ])

6. Intersection. Within, or within ten (10) feet of an intersection of any street or alley.

(Code of Iowa, Sec. 321.358 [ 3 ])

7. Fire Hydrant. Within ten (10) feet of a fire hydrant.

(Code of Iowa, Sec. 321.358 [ 4 ])

8. Stop Sign or Signal. Within ten (10) feet upon the approach to any flashing beacon, stop or yield sign, or traffic control signal located at the side of a roadway.

(Code of Iowa, Sec. 321.358 [ 6 ])

9. Railroad Crossing. Within fifty (50) feet of the nearest rail of a railroad crossing.. except when parked parallel with such rail and not exhibiting a red light.

(Code of Iowa, Sec. 321.358 [ 8 ])

10. Fire Station. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of said entrance when properly sign posted.

(Code of Iowa, Sec. 321.358 [ 9 ])

11. Excavations. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.

(Code of Iowa, Sec. 321.358 [ 10 ])

12. Double Parking. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.

(Code of Iowa, Sec. 321.358 [ 11 ])

13. Hazardous Locations. When, because of restricted visibility or when standing or parked vehicles would constitute a hazard to moving traffic, or when other traffic conditions require, the Council may cause curbs to be painted with a yellow color and erect no parking or standing signs.

(Code of Iowa, Sec. 321.358 [ 13 ])

14. Alleys. No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for the free movement of vehicular traffic, and 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. The provisions of this subsection shall not apply to a vehicle parked in any alley which is eighteen (18) feet wide or less; provided said vehicle is parked to deliver goods or services.

(Code of Iowa, Sec. 321.236 [ 1 ])

- 15. Ramps. In front of a curb cut or ramp which is located on public or private property in a manner which blocks access to the curb cut or ramp.  
(Code of Iowa, Sec. 321.358 [ 15 ])
- 16. Parking or Terrace. Upon the parking or terrace, designated as that area between the curb line and the sidewalk line, where curbing has been installed.
- 17. Police Parking Only. Restricted to police department vehicles only.

79.07.005 HANDICAPPED PARKING. The following regulations shall apply to the establishment and use of handicapped parking spaces:

- 1. Nonresidential Off-street Facilities. Nonresidential off-street parking facilities shall set aside handicapped parking spaces in accordance with the following:

- A. Municipal off-street public parking facilities or an entity providing nonresidential parking in off-street public parking facilities shall provide not less than two percent (2%) of the total parking spaces in each parking facility as handicapped parking spaces, rounded to the nearest whole number of handicapped parking spaces. However, such parking facilities having ten (10) or more parking spaces shall set aside at least one handicapped parking space.

(Code of Iowa, Sec. 321L.5 [ 3a ])

- B. An entity providing off-street nonresidential public parking facilities shall review the utilization of existing handicapped parking spaces for a one-month period not less than once every twelve months. If upon review, the average

occupancy rate for handicapped parking spaces in a facility exceeds sixty percent (60%) during normal business hours, the entity shall provide additional handicapped parking spaces as needed.

(Code of Iowa, Sec. 321L.5[ 3b ])

- C. An entity providing off-street nonresidential parking as a lessor shall provide a handicapped parking space to an individual requesting to lease a parking space, if that individual possesses a permanent handicapped identification device issued in accordance with Section 321L.2 of the Code of Iowa.

(Code of Iowa, Sec. 321L.5[ 3c ])

- D. A new nonresidential facility in which construction has been completed on or after July 1, 1991, providing parking to the general public shall provide handicapped parking spaces as stipulated below:

<u>TOTAL PARKING SPACE IN LOT</u>	<u>REQUIRED MINIMUM NUMBER OF HANDICAPPED PARKING SPACES</u>
10 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	*
1001 and over	**

\* TWO PERCENT (2%) OF TOTAL

\*\* 20 SPACES PLUS 1 FOR EACH 100 OVER 1000

(Code of Iowa, Sec. 321L.5 [ 3d ])

2. Residential Buildings and Facilities. All public and private buildings and facilities, temporary and permanent, which are residences and which provide ten (10) or more tenant parking spaces, excluding extended health care facilities, shall designate at least one handicapped parking space as needed for each individual dwelling unit in which a handicapped person resides. Residential buildings and facilities which provide public visitor parking of ten (10) or more spaces shall designate handicapped parking spaces in the visitors parking area in accordance with the table contained in subsection (1)(D) of this section.

(IAC, 661-18.7 [ 321L ])

3. Business District. With respect to any on-street parking areas provided by the City within the business district, not less than two percent (2%) of the total parking spaces within each business district shall be designated as handicapped parking spaces.

(Code of Iowa, Sec. 321L.5 [ 4a ])

4. Other Spaces. Any other person may set aside handicapped parking spaces on the person's property provided each parking space is clearly and prominently designated as a handicapped parking space. No person shall establish any on-street handicapped parking spaces without first obtaining Council approval.

(Code of Iowa, Sec. 321L.5 [ 3e ])

5. Improper Use. The use of a handicapped parking space, located on either public or private property, by a motor vehicle not displaying a handicapped identification device, displaying such a device but not being used by a handicapped person, or in violation of the rules adopted under Section 321L.8 of the Code of

Iowa, constitutes improper use of a handicapped identification device, which is a misdemeanor.

(Code of Iowa, Sec. 321L.4 [ 2e ])

79.08.236 NO PARKING ZONES. No one shall stop, stand or park a vehicle in any of the following specifically designated no parking zones except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or traffic control signal.

(Code of Iowa, Sec. 321.236 [ 1 ])

1. Longmeadow on the north side for 50 feet east of Ramsey;
2. Longmeadow on the east side for 50 feet north of Van Weiss;
3. West Aire on the inside curb from Swan to Swan;
4. Wheeler on the north side for 50 feet west of west Burlington Avenue;
5. Schwartz on the west side for 50 feet south of Mt. Pleasant;
6. Beavertdale Road on both sides from Mt. Pleasant to north City limits;
7. Broadway on both sides from Van Weiss to south City limits;
8. West Burlington Avenue on both sides from Van Weiss to Agency;
  
9. Agency on both sides from east City limits to west City limits;
10. Washington on both sides from Mt. Pleasant to north City limits;
11. North Gear on both sides from Mt. Pleasant to Burlington Northern Railroad crossing;
  
12. South Gear on both sides from Mt. Pleasant to south City limits;
13. Mt. Pleasant on both sides from east City limits to west city limits;
14. Van Weiss on both sides from Westland Mall Frontage Road to 750 feet east;
15. Meadow on the south side from Cottage Grove to Prairie;
16. Meadow on the south side from Cottage Grove west for 100 feet;
17. Pennington on the south side from Prairie to Summer Street;
18. Brentwood on the south side from Van Weiss through 300 Blk. East;
19. Ruthella on the south side 300 Blk. East;
20. Longmeadow on the south side from 400 Blk. East to Ramsey;

21. Huston on the south side from West Burlington Avenue to Westland Mall Road;
22. Glasgow on the south side from West Burlington Avenue to Schwartz;
23. Glasgow on the north side for So feet west of West Burlington Avenue;
24. Wheeler on the south side from West Burlington Avenue to Broadway;
25. Wheeler on the south side from alley west 100 Blk. to Schwartz;
26. Van Weiss on the south side from West Burlington Avenue to Broadway;
27. Kimberly on the south side from Ramsey to Melville;
28. Dry Creek on the south side from West Burlington Avenue to 300 Blk. East;
29. Cottage Grove on the west side from Mt. Pleasant to Pennington;
30. Broadway on the east side from Wheeler to Van Weiss;
31. Prairie on the east side from Meadow to Pennington;
32. Prairie on the west side from Meadow for 200 feet south of Meadow;
33. Brentwood on the east side from Van Weiss through South 600 Blk.;
34. Brandli on the east side from Brentwood to Longmeadow;
35. Ruthella on the east side from Huston through South 500 Blk.;
36. Neva on the east side from Huston to Pennington;
37. Winter on the east side from Mt. Pleasant to Huston;
38. Winter on the west side for 50 feet south of Mt. Pleasant;
39. Ballard on the east side from Mt. Pleasant to Longmeadow;
40. Ballard on the west side for 50 feet south of Mt. Pleasant;
41. Swan on the east side from Mt. Pleasant to Longmeadow;
42. Swan on the west side for 50 feet south of Mt. Pleasant;
43. Leffler on the east side from Mt. Pleasant to Van Weiss;
44. Leffler on the west side for 50 feet south of Mt. Pleasant;
45. Ramsey on the east side from Mt. Pleasant to Wheeler;
46. Ramsey on the west side for So feet south of Mt. Pleasant;
47. Ramsey on the east side from Huston to Pennington;
48. Ramsey on the east side from Van Weiss to Kimberly;
49. Summer on the east side from Mt. Pleasant to Pennington;
50. Summer on the west side for 50 feet south of Mt. Pleasant;

51. Spring on the east side from Mt. Pleasant through South 500 Blk.;
52. Spring on the west side for 50 feet south of Mt. Pleasant;
53. Schwartz on the east side from Mt. Pleasant to Glasgow;
54. Vernon on the east side from South 300 Blk. through South 500 Blk.;
55. Melville on the east side from South 300 Blk. through Van Weiss St.;
56. Derek Lincoln Drive on the east side from Agency through South 1100 Blk.;
57. Melville Street on the east side from Kimberly Street to Van Weiss Street;
58. Inside radius (west side) of the intersection of Ramsey Street and Kimberly Street;
59. Inside radius (east side) of the intersection of Kimberly Street and Melville Street;
60. Van Weiss Street on both sides from Melville Street to the Westland Mall road;
61. Melville Court on both sides for 50 feet east of Melville Street.
62. West Burlington Avenue on the east side from Mt. Pleasant to Wheeler.
63. West Burlington Avenue on the west side from Mt. Pleasant to the Mt. Pleasant/Wheeler alley. *(Ord 450 & 466 - Apr-98 Supp.)*
64. Hwy 406 Road from Agency Road to Highway 34.
65. Park Place on the east side from Van Weiss Street to the end of Park Place.
66. Board Walk on the south side of the street.

79.09.000 TRUCK PARKING PROHIBITED. No trucks in excess of five (5) tons are permitted to park on any street in the City except while loading or unloading.

79.10.236 PARKING RESTRICTED. It is unlawful to park any vehicle between the hours of nine o'clock (9:00) a.m. and nine o'clock (9:00) p.m. upon the following designated streets:

*(Code of Iowa, Sec. 321.23 6 [1])*

1. West Burlington Avenue on both sides in the 500 and 600 blocks.

79.11.236 PARKING LIMITED TO ONE HOUR. In properly designated and posted parking stalls it is unlawful to park any vehicle for a continuous period of more than one

hour (60 minutes) between the hours of 8:00 A.M. and 5:00 P.M., Monday through Friday:

*(Code of Iowa, 321.236[1])*

79.12.000 SNOW REMOVAL.

1. Posted Signs. The Council shall cause to be posted on each street special signs at intervals not exceeding six hundred (600) feet: *No Parking During Declared Snow Emergency. Violators Will Be Towed.* The signs shall be distinctive and uniform in appearance and shall be plainly readable to the persons traveling on the street.

2. Parking on Streets.

A. Whenever the designated Council Member finds, on the basis of falling snow, sleet or freezing rain, that weather conditions will make it necessary that accumulations of snow, sleet or frozen rain be plowed from or otherwise removed from City streets and that parking on City streets shall be prohibited or restricted to facilitate plowing or removal of accumulations of snow, sleet or frozen rain, said Council Member shall put into effect a parking prohibition on parts or all City streets as necessary by declaring a parking prohibition in the manner prescribed in this section. While the parking prohibition is in effect, no person shall park or allow a vehicle to remain parked on any portion of any City street to which such parking prohibition applies. This section shall not be interpreted as permitting parking at any time or place where it is prohibited by any other provision of law.

B. The designated Council Member may, in declaring a parking prohibition pursuant to this section, declare the time at which such parking prohibition ends, in which event the parking prohibition shall end at the time declared. If the designated Council Member does not, in declaring a parking prohibition, declare the time at which such parking prohibition ends, then the parking prohibition shall remain in effect until terminated by announcement of the designated Council Member in accordance with this section.

3. Notice of Declaration. The designated Council Member shall cause each declaration made under this section to be publicly announced by means of radio or television broadcasts from stations with normal operating range covering the City, and may cause such declaration to be further announced in newspapers of general circulation when feasible. Each announcement shall describe the action taken by the designated Council Member, including the time it became or will become effective, and shall specify the streets or parts of streets affected. A parking prohibition declared by the designated Council Member shall not go into

effect until at least two hours after it has been announced to the public between six o'clock (6:00) a.m. and ten-thirty o'clock (10:30) p.m. in accordance with this section. The designated Council Member shall keep a record of the date and time when each declaration of parking prohibition is announced to the public in accordance with this section.

4. Termination of Parking Prohibition. Whenever the designated Council Member finds that some or all of the conditions which give rise to a parking prohibition in effect under this section no longer exists, the Council member may declare the prohibition terminated, in whole or in part, effective immediately upon public announcement.

5. Stalled Vehicle. Whenever a vehicle become stalled for any reason in any location where a parking prohibition is in effect pursuant to this section, the operator of such vehicle shall take immediate action to have the vehicle moved from such location to a location where the parking prohibition is not in effect. No person shall abandon or leave a vehicle in a location where a parking prohibition is in effect except for a reasonable time necessary to receive assistance.

6. Removal of Vehicles.

A. Any member of the Police Department or the Public Works Director or Streets Foreman may remove a vehicle or have a vehicle removed from a location where a parking prohibition is in effect to the nearest garage or other place of safety when:

(1) The vehicle is parked in any location where a parking prohibition is in effect pursuant to this section;

(2) The vehicle is stalled in any location where a parking prohibition is in effect and the operator of such vehicle does not appear to be removing it in accordance with the provisions of this section;

(3) The vehicle is parked in violation of any parking ordinance or provisions of law and is interfering with or about to interfere with snow removal or similar operations.

B. When any member of the Police Department or the Public Works Director or Street Foreman removes a vehicle or has a vehicle removed from a location where a parking prohibition is in effect, as authorized in this section, and the individual removing such vehicle or having such vehicle removed knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, the Police Department shall be immediately notified of the necessary facts concerning such removal, and the Police Department shall, within twenty-four (24) hours,

give notice in writing to such owner of the fact of the removal and the reason therefor and of the place to which the vehicle has been removed. If the owner does not appear within three (3) days and identify and claim the vehicle and pay the reasonable cost for removal and storage, such vehicle shall be considered to be an abandoned vehicle and impoundment and sales steps may be taken by the Police Department in accordance with State law. If the owner does appear within three (3) days and identifies and claims the vehicle, such vehicle shall be returned to the owner when, but not until, the owner pays the reasonable cost for removal and storage.

C. Members of the Police Department, the Public Works Director, the Streets Foreman and the City shall not be liable for damages occasioned by reason of the towing, removal or storage of such vehicle.

7. Citation of Illegally Parked or Left Vehicles.

A. Whenever any motor vehicle without a driver is parked or stopped in violation of any of the restrictions imposed by this section and is not removed and impounded, a peace officer or any authorized person finding such vehicle may take such vehicle registration number and any other information displayed on the vehicle which identifies its driver or owner and shall attach a written summons to such vehicle in a conspicuous place and the owner, operator or lessee of such motor vehicle may be held to appear at the time and place designated in the summons. The peace officer or other authorized person issuing such summons may, if the driver or owner of the illegally parked vehicle is available, deliver a copy of such summons to such driver or owner instead of affixing the summons to the vehicle.

B. The owner of the vehicle shall not be held responsible for a violation of a provision of this section if the owner establishes that at the time of the violation the vehicle was in the custody of an identified person other than the owner pursuant to a lease as defined in Section 321F of the Code of Iowa. The furnishing to the Clerk of the Court where the charge is pending of a copy of the certificate of responsibility prescribed in Section 321F.6 of the Code of Iowa that was in effect for the vehicle at the time of alleged violation shall be prima facie evidence that the vehicle was in the custody of an identified person other than the owner within the meaning of this section and the charge against the owner shall be dismissed. There shall then be issued a uniform citation and complaint against the lessee of the vehicle and the citation shall be served on the defendant by ordinary mail directly to the defendant at the address on the certificate of responsibility.

C. Otherwise, in any prosecution with regard to a vehicle parked or left in a place or in a condition in violation of any provision of this section, proof that the particular vehicle described in the complaint was parked or left in violation of a provision of this section, together with proof that the defendant

named in the complaint was at the time the registered owner of that vehicle, is prima facie evidence that the defendant was the person who parked or left the vehicle in violation of this section.

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