

ORDINANCE NO.

**AN ORDINANCE AMENDING CHAPTER 79
OF THE MUNICIPAL CODE CONCERNING PARKING REGULATIONS**

BE IT ENACTED by the City Council of the City of West Burlington, Iowa:

SECTION 1. Section **79.05.236** of the West Burlington Municipal Code of Ordinances, titled "**PARKING FOR CERTAIN PURPOSES ILLEGAL.**", is hereby amended by adding paragraph 5 to read as follows:

79.05.236 PARKING FOR CERTAIN PURPOSES ILLEGAL. No person shall park a vehicle upon public property for more than 72 hours, unless otherwise limited under the provisions of this chapter, or for any of the following principal purposes:

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

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.
5. Storage/Collection/Hoarding. Recreational Vehicles, Unattached Trailers and Construction Equipment shall not be parked on public property. The following exceptions shall apply:
 - A. A construction trailer and/or dumpster which is being used during a construction project may not be parked on public property unless a Construction Parking Permit is obtained from the **City's Building Official**. A time limit will be established for the length of time a construction trailer may remain on public property. The permit fee shall be set by resolution of the Council.

SECTION 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

SECTION 3. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. When Effective. This ordinance shall be in effect after its passage, approval, and publication as provided by law.

PASSED, APPROVED, AND ADOPTED by the West Burlington City Council this ____ day of _____, 2013.

Hans K. Trousil, Mayor

ATTEST:

Kelly D. Fry, City Clerk