ORDINANCE NO. 355

AN ORDINANCE REGULATING THE USE OF PUBLIC STREETS AND HIGHWAYS, AND THE TRAFFIC THEREON, AND PROHIBITING THE PARKING OF MOTOR TRUCKS OF OVER ONE* HALF TON WITH IN ANY 45 degree PARKING LINES OR MARKINGS, ADJACENT TO ANY SUCH PARKING METERS WITHIN THE CITY OF REXBURG; PRESCRIBING REGULATIONS RELATIVE TO THE PARKING OF VEHICLES UPON PUBLIC STREETS WITHIN THE CITY OF REXBURG, AND PROVIDING FOR THE INSTALLMENT, REGULATION, CONTROL, AND THE USE OF PARKING METERS; PROVIDING FOR THE ESTABLISHMENT OF PARKING METER ZONES UPON THE PUBLIC STREETS AND HIGHWAYS WITH IN THE CITY OF REXBURG, AND PRESCRIBING THE RIGHTS OF THE OWNERS OR OPERATORS OF MOTOR VEHICLES IN CONNECTION WITH THE PARKING OF MOTOR VEHICLES WITHIN SAID ZONES; PRESCRIBING THE LIMITS OF TIME FOR PARKING MOTOR VEHICLESAND THE DEPOSIT OF COINS WITHIN THE PARKING METERS; PROVIDING FOR THE ENFORCEMENT AND FOR THE PENALTIES FOR THE VIOLATION HEREOF:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF REXBURG, IDAHO;

Section 1. For the purpose of this ordinance,

(a) The word "vehicle" Shall mean any device in, upon, or by which, any person or property is or may be transported on a public street or highway; where the context permits, the term "vehicle" shall include horses and all horse drawn vehicles.

(b) The word"street" shall mean any public street , avenue or road, boulevard, highway or other public place located in the City of Rexburg and established for the use of vehicles;

(c) The word "person" shall mean and include any individual, firm, co-partnership, or corporation.

(D) The word "operator" shall mean and shall include every personwho shall operatea vehicle upon any street in the City of Rexburg.

(e) the word "park" or "parking" shall mean the leaving or standing of a vehicle whether occupied or empty, except for the temporary purpose of, and while actually engaged in , unload or load ing passengers, upon a street in the City of Rexburg;

(f) The words, "loading space", shall mean a space or section of a street which has been set aside for the exclusive purpose of loading and unloading persons, supplies and merchandise.

(g) Parking meters" or "Meters" shall mean a mechanical device which is so adjusted as to show the length of time of parking upon the streets of the City of Rexburg.

(h) "Parking meter zone" means any and all zones, areas or streets established or desig nated by the Chief of Police, with the consent of the council, as those zones, areas, or streets, or parts of streets, within or upon which the parking of vehicles shall be controlled, regulated and inspected with the aid of timing devices and meters herein referred to as parking meters or meters.

Section 2. For the purpose of regulating of traffic upon the public streets of the City of Rexburg, there is hereby created and established, within the corporate limits of the City of Rexburg, an area designated as the parking meter zone. The Cheif of Police is hereby autherized and directed to designate immediately, and from time to time hereafter as is deemed proper and necessary for the control of traffic, such streets and parts of streets, and loading spaces, to be included within said parking meter zone, and he shall cause parking meters to be placed, maintained, and operated within such zone, except at loading spaces, in the manner hereafter in this ordinance provided; provided, however, that the area, streets, parts of streets, and loading spaces, to be included within such zone, must first be approved by the City Council of the City of Rexburg bya motion duly passed.

A loading space may be occupied by a vehicle while actually engaged in loading and unloading persons, supplies or merchandise, for a period mot to exceed twenty minutes during any one period of time during meter operating hours.

Section 3. The Chief of Police is here by authorized and directed to provide for the installation, regulation, control, supervision, operation, and use of parking meters within such park ing meter zone. He shall keep the city clerk constantly advised of the number of meters installed. Such parking meters shall be placed on the curb or sidewalk immediately adjacentto the parking spaces hereinafter described. Each parking meter shall be placed or set in such manner as to show or display by a signal that the parking space adjacent to such meter is or is not legally in use.

Each parking meter shall be so equipped, designed, and constructedthat, upon the deposit of a (1¢) one cent coin, said meter shallvisibaly indicate that the vehicle may occupy the space adjacent to the said parking meter for a period of twelve minutes after the deposit of said one cent coin; and that, upon the deposit therein of a five cent coin, the said meter shall visably indicate that a vehicle may occupy the space adjacent to said meter for a period of sixty minutes, after deposit of said five cent coin; and that , upon the deposit therein of a ten cent coin, the said meter shall visably indicate that the vehicle may occupy the space adjacent to said meter for a period of one hundred twenty minutes, after deposit of said ten cent coin. Upon the expiration of such respective periods of time a colored sign or signal shall becone visable, which shall indicate that the parking time for such space has expired.

Section 4. The Chief of Police is hereby instructed to have lines or markings painted or placed upon the curb, and or upon the street, adjacent to each parking meter, for the purpose of designating the parking space for which said meter is to be used, andeach vehicle parked along side of or next to any parking meter shall park within the lines or markings so established. It shall be unlawful and a violation of this ordinance to park the vehicle across any such line or markings, or to park said vehicle in such position that the same shall not be entirely within the earea so designated by such lines or markings

Any vehicle parked in such parking spaces shall be parked parallel or diagonal to the curb in accordance with the lines or markings so established, and shall be so parked that the foremost part of such vehicle shall be nearest to the parking meter.

Section 5. Any person or operator who shall park a vehicle during operating hours in any such spacefor which a parking meter is located, shall deposite either a one cent coin or a five cent coin or a ten cent coin in such parking meter, and it shall be unlawful for any person to cause, permit, allow, or suffer any vehicle to be parked, during operating hours, in any such space while the colored signal or sign of parking meter is visable.

GEO.D.BARNARD STA.CO., ST.LOUIS

Provided, that upon an application being made under oath to the Chief of Police, by any person engaged in the business of the delivery, drayage, and or transportation of goods and merchandise, and upon the payment of the sum of $1.00 per month for each such service or delivery vehicle, the Chief of Police may issue a service or delivery permit and identification card for such vehicle, which permit shall entitle such vehicle to park within a metered space for a period not to exceed twenty minutes at any one time, and while actually engaged in loading goods or merchandise, without the deposit of the coins as otherwise in this ordinance provided. Such service or delivery permit and identification card shall be attached to the windshield of such vehicle in such manner as to be clearly visable.

Operating hours of meters, within the meaning of this ordinance, shallbe between the hours of 9 O'clock A.M. and 7:00 o'clock P.M. on Saturdays, and between the hours of 9:00 O'clock A.M. and 6:00P.M. on every other day, provided t at such meters shall not be operated on Sundays, New Years Day, Memorial Day, Fourth of July, Armistice Day, Thanksgiving Day, and Christmas.

Section 6. It Shall be unlawful for any motor truck with a capacity over one half ton to park within any 45 degree parking lines or markings painted or placed upon the curb, and or upon the street, adjacent to any such parking meters.

Section 7. It shall be unlawful and a violation of the provisions of this ordinance for any person to deposit or insert, or cause to be deposited or inserted, in any parking meter, anything whatsoever except a one cent coin or a five sent coin or a ten cent coin, lawful money of the United States.

Section 8.. It shall be unlawful for any person to deface, injure, tamper with, open or willfully break, destroy , or impair the usefullnessof, any parking meter installed under the provisions of this ordinance, and it shall be unlawful for any person, except the duly autherized agents or officials of the City of Rexburg, to remove any coin or coins from any pafking meter.

Section 9. It shall be the duty of the Police Officer observing a violation of the provisions of section 4, or section 5, or section 6 of this ordinance to leave at or upon such a vehicle a notice that the vehicle has been parked in violation of the provisions of this ordinance; that said notice shall bear the date and the hour of leaving the same at or upon such vehicle, and the notice shall instruct the owner or operator of such vehicle to report to the police department, or to the municipal court of the City, in regard to such violation. It shall be the duty of such police officer to leave at or upon such vehicle a seperate notice for each hour, or fraction thereof that such vehicle remains parked in the violation of the provisions of section 4, or section 5, or Section 6. Each such owner or operator may within twenty four hours of the time of such notice, pay to the polive department, as a penalty for, and in full satisfaction of, such violation, the amount of One Dallar for each hour, or fraction thereof, that such vehicle was parked in violation of the provisions of Section 4, or section 5, or Section 6. The failure of such owner or operator to report to make such payment to the police department within said twenty four hours shall render such owner or operator subject to ~~the fine provided for by section 11 of this ordinance.~~ fine.

The notice of above mentioned, shall be made and numbered in triplicate,and it shall be the duty of each police officer to file one copy of such notice with the police department, and to file one copy of such notice with the City Clerk of the City of Rexburg. It shall be the Duty of the Chief of Police to file a complaint before the city magistrate against all persons who do not report and make payment to the police department within the above mentioned twenty four hours. All money collected by the police department, for a violation of this ordinance, shall be paid over to the City Clerk of the City of Rexburg.

Section 10. The amounts required to be deposited in said parking meters, as provided in this ordinances, are hereby levied and assessed as a police regulation and inspection fees.

Section 11. Every person who violates, or who fails to comply with any of the proviaions in this ordinance, except as otherwise in this ordinance provided, shall be punished bya fine not exceeding One Hundred (100.00) Dollars, or by imprisonment in the city jail not exceeding thirty days, or by both fine and imprisonment, such fine and or imprisonment to be in the discretion of the city magistrate.

Section 12. There is hereby created the office of coin collector for the city of Rexburg, who shall be appointed by the mayor with the concent of the Council. Before entering upon his duties the coin collector shall take such oath of office as is prescribed for other officers, and shall execute to the city and file with the City Clerk, an idemnity bond in the sum of $1,000.00, with sureties to be approved by the council, conditioned upon the faithful performance of all his duties as such coin collector. It shall be his duty to collect the coin boxes and to wind the mechanism of such meters. The coin boxes from such meters must be delivered by him to the City Clerk with the seals unbroken, and he shall be charged the sum of Five dollars for each and every coin box returned with the seal broken.

Section 13. If any section, part of section, sentence, clause, orphrase of this ordinance shall be held to be unconstitutional, invalid or void, the remaining provisions hereof shall nevertheless remain in full force and effect.

Section 14. This ordinance shall be in full forceand effect on the thirtieth (30th) day after the passage and approval hereof.

PASSED BY THE CITY COUNCIL OF THE CITY OF REXBURG, this 21st. day of August, 1946.

APPROVED by the Mayor of the City of Rexburg, Idaho, this 21st day of August, 1946.

APPROVED:

Mayor

ATTEST:

City Clerk