

ORDINANCE #19-30

AN ORDINANCE UPDATING THE SANDY CITY CODE BY AMENDING TITLE 14, THE “TRAFFIC CODE”, CHAPTER 14-7, “PARKING” BY ADDING NEW SECTIONS RELATING TO PERMIT PARKING AREAS; ALSO PROVIDING A SAVING CLAUSE FOR THE ORDINANCE AND AN EFFECTIVE DATE.

WHEREAS, it is necessary to amend the Sandy City Code by amending Title 14, the “Traffic Code”, Chapter 14-7, “Parking” by adding new sections relating to permit parking areas; and

WHEREAS, Section 10-8-84, Utah Code Annotated, authorizes such amendment in order to protect the public health, safety and welfare of the City;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Sandy City as follows:

Section 1. The Sandy City Code, Title 14, the “Traffic Code”, is hereby amended by adopting new sections related to permit parking areas of Chapter 14-7, “Parking”, as set forth in **Exhibit “A”** which is attached to and incorporated in this ordinance.

Section 2. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the Code hereby adopted are hereby repealed.

Section 3. The provisions of this ordinance shall be severable; and if any provision thereof, or the application of such provision under any circumstances is held invalid, it shall not affect any other provision of this ordinance, or the application in a different circumstance.

Section 4. This ordinance shall become effective upon publication of a summary thereof and the City Recorder is hereby directed to publish such summary as soon as practically possible.

PASSED AND APPROVED by the Sandy City Council this ____ day of _____, 2019.

Chris McCandless, Sandy City Council

PRESENTED to the Mayor this ____ day of _____, 2019.

APPROVED by the Mayor this ____ day of _____, 2019.

Kurt Bradburn, Mayor

ATTEST:

City Recorder

RECORDED this _____ day of _____, 2019.

SUMMARY PUBLISHED this _____ day of _____, 2019.

EXHIBIT “A”

TITLE 14 – TRAFFIC CODE CHAPTER 14-7. – PARKING

Sec. 14-7-12. – Permit Parking Areas.

It should be the purpose of this ordinance to issue permits for preferential on-street parking are required throughout the following streets and residential subdivisions in order to minimize adverse impacts from adjacent commercial and recreational uses:

- (1) All of Wallace Heights Subdivision;
- (2) All of Mount Jordan Meadows Subdivision;
- (3) All of 170 East between 9400 south and Sego Lily Drive including all of Corrie Circle, Lynn Circles and Brent Circle, excluding the west side of 170 East from 9548 South to Sego Lily Drive; and
- (4) All area bounded by 8800 South on the north, 9000 South on the south, State Street on the West, and Center Street on the east.

(a) Definitions. In the construction of this Section the following words and phrases shall be defined as set forth below:

- (1) “Authorized vehicle” means a motor vehicle which: (i) displays a valid parking permit issued pursuant to the requirements of this Section, for the specific Permit Parking Area where the vehicle is parked, or (ii) is authorized by the regulations of a Permit Parking Area to park within such area without a permit.
- (2) “Dwelling” means a building or portion thereof designed and used for residential occupancy, including one-family, two family, multi-family, and apartment buildings; but shall not include boarding, rooming, or lodging houses, tents, trailers, mobile home parks, motels, motor courts, motor lodges, cottage camps, or similar structures designed or used primarily for transient residential uses.
- (3) “Motor vehicle” means an automobile, truck, motorcycle or other motor driven or self-propelled form of transportation intended primarily for use and operation on a public street.
- (4) “Parking permit” means a permit issued by the City displayed by an authorized vehicle pursuant to the requirements of this Section, for the specific Permit Parking Area where the permit is used.
- (5) “Permit parking area” means all portions of City streets within one of the residential subdivisions specified in this Section. Parking restrictions apply to both sides of each street unless otherwise provided.
- (6) “Unauthorized vehicle” means a motor vehicle which: (i) does not display a valid parking permit issued pursuant to the requirements of this Section, for the specific Permit Parking Area where

the vehicle is parked, or (ii) is not authorized by the regulations of a Permit Parking Area to park within such an area without a permit.

(b) On-Street Parking Restrictions.

(1) Except as set forth in Section 14-7-12(b)(2), between the hours of 5:30 a.m. and 12:30 a.m. the following day, only authorized vehicles shall be parked on a public street within a Permit Parking Area described in Section 14-7-12(1), (2) and (3).

(2) The following shall be exempt from the provisions of Subsection (1) of this Section:

- a. A motor vehicle being used to provide repair, service, or emergency assistance within the Permit Parking Area; and
- b. A public agency vehicle with an exempt ("EX") license plate.

(c) Enforcement of Parking Restrictions. The on-street parking restrictions of this Section shall apply every day except that no enforcement shall occur on Easter, Thanksgiving and three (3) days following, and Christmas Eve through New Year's Day.

(d) Limit till Available Number of Permits. The number of parking permits issued within the Permit Parking Area shall be determined by the procedures of Section 14-7-12(e).

(e) Permit Eligibility - Issuance and Display.

(1) Annual application for one or more parking permits authorized under this Section shall be made on a form provided by the Police Department which includes at least the following information (i) applicant's name and address, and (ii) proof of eligibility for the permit. Additional information may be required which will aid the enforcement of the provisions of this Section and the Sandy City Traffic Code.

(2) A parking permit may be issued for a motor vehicle used in conjunction with a building permit for authorized construction within the Permit Parking Areas. The parking permit shall expire in six (6) months from the date of issuance.

(3) A parking permit shall be issued for a motor vehicle only upon compliance with each of the following requirements:

- a. The permit applicant shall be a person who resides in a dwelling located within the Permit Parking Areas and who is either an owner occupant, or an occupant of a qualifying rental dwelling unit for which a valid rental dwelling license has been issued.
- b. No permit shall be issued to a person who resides in a rental dwelling which does not comply with the requirements of the City's Land Development Code, when the permit is issued.

c. Not more than two (2) parking permits shall be issued to all the residents of a qualifying dwelling unit.

(4) A parking permit shall be displayed by hanging the permit on the motor vehicle's interior rear view mirror. Such permit may be displayed only if:

a. The vehicle has a valid license and vehicle registration, and

b. The owner possesses proof of current vehicle insurance.

(5) A person who is issued a parking permit shall be deemed the permit holder.

(6) The issuance of a parking permit does not guarantee or reserve to the permit holder a particular parking space within a Permit Parking Area, but only authorizes a motor vehicle to be parked on a public street in a legally available parking space.

(7) In the event a permit holder loses a permit issued under this Section, a duplicate may be obtained from the Police Department. No duplicate permit shall be issued unless and until the applicant has furnished to the Police Department an affidavit stating that the applicant has lost the original permit. No person shall apply for a duplicate permit unless the original permit has, in fact, been lost.

(f) Transferability. The holder of a parking permit for a Permit Parking Area may display the permit on any motor vehicle at any time within such area. Any person violating any provision of this Section shall be guilty of an infraction.

(g) Expiration. Each parking permit issued for the Permit Parking Area shall expire annually after the establishment thereof. Any permit issued after the establishment date shall expire on the same day as all other permits.

(h) Signs. Signs designating Permit Parking Areas shall be posted as determined by the City Transportation Engineer.