

ORDINANCE NO. 724

AN ORDINANCE TO AMEND SECTION 25, SECTION 30, AND SECTION 31 OF ARTICLE IV AND SECTION 51 and 52 OF ARTICLE VII AND TO ADD SECTIONS 53 and 54 OF THE SAID ARTICLE VII, ALL OF ORDINANCE NUMBER 595 AND THE SCHEDULES ATTACHED TO ORDINANCE NUMBER 595, AND TO REPEAL ORDINANCE NUMBER 720 AND ORDINANCE NUMBER 550, OF THE ORDINANCES OF THE CITY OF LEXINGTON, NEBRASKA.

BE IT ORDAINED BY THE PRESIDENT OF THE COUNCIL AND THE COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA:

Section 1. That Section 25, Article IV of Ordinance Number 595 of the Ordinances of the City of Lexington, Nebraska, be amended to read by adding sub-paragraph (e) as follows:

"(e) No person shall stand or park a vehicle at the times and places as shown on Schedule VII, which Schedule VII shall be marked 'Parking Prohibited'."

Section 2. Section 30 of Article IV of Ordinance Number 595 of the Ordinances of the City of Lexington, Nebraska, be amended by substituting therefore the following paragraph:

"Section 30. LIMITED PARKING FOR DELIVERY, LOADING AND UNLOADING. Limited parking may be established for the purposes of loading and unloading merchandise or materials, for loading and unloading at the entrance of hotels, for the deposit of mail and for other purposes as is shown in Schedule VIII. No person shall park a vehicle except for such purpose at any time in such zones. Such zones shall be utilized no longer than is necessary to accomplish such purposes. Such loading zones shall not be used so that traffic will be blocked on the streets adjoining the said zone unless special permission therefore is given by the City Manager. The City Manager shall have the authority to establish temporary loading zones until such time as Schedule VIII may be changed by resolution of the Council. Schedule VIII shall be added to Ordinance 595 and marked 'Limited Parking'."

Section 3. Section 31 shall be added to Article IV of Ordinance No. 595 of the Ordinances of the City of Lexington, Nebraska, as follows:

"Section 31. TEMPORARY USE AND RESERVATION OF PARKING AREAS. The City Manager may authorize temporary use of parking space and such parking space may be reserved on streets abutting property where construction, remodeling or where renovation work is in progress or where funerals are being conducted. Application for such reserve parking space shall be made to the City Manager who shall, after approving same, direct the City forces to adequately mark such reserve space by hood, sack, sign, barricade or other recognizable device. Parking in such reserve parking spaces shall be only for such hours and days as may be designated by the City Manager and shall be used only for the purpose for which the application was made."

Section 4. Section 51 of Article VII shall be amended by the substitution of the following section for the existing section:

"Section 51. SCHEDULES CHANGED BY RESOLUTION. Schedules attached to this Ordinance may hereafter be changed by resolution of the Council at any time without the necessity of amending this Ordinance."

Section 5. Section 52 of Article VII of Ordinance No. 595 of the Ordinances of the City of Lexington be amended by substituting the following section for the existing section:

"Section 52. POWER TO ORDER REMOVAL OF VEHICLES. It is hereby declared necessary and for the best interest, health, safety and welfare of the City that the City Manager have general power, in addition to other authorities granted herein, to order the removal of all vehicles from parking areas in the City of Lexington, Nebraska, for the purpose of maintaining, repairing, cleaning, controlling traffic and parking on said streets. The City Manager may issue said order personally or through one of the regular Police Officers to the owner or the person in charge of the vehicle or may cause a notice of said order to be placed on said vehicle for at least twelve hours prior to the removal of said vehicle. Such notice shall be placed on the steering wheel if practical and under the wind shield wiper of said vehicle. Such notice shall constitute sufficient and reasonable notice to the owner of, or all persons in charge of said vehicle. Violation of said order shall constitute violation of this section and the declared powers of the City. The City Manager upon finding a vehicle parked or standing in violation of said order after notice as provided herein or upon finding a vehicle parked in violation of the ordinances of the City of Lexington is hereby authorized to remove said vehicle from the streets. The costs of moving by towing shall be certified to by the Chief of Police and such certificate shall be deposited with the Police Magistrate. That said towing charge shall be collected by the Police Magistrate and upon the payment thereof shall be used by the proper city officials to pay the cost of towing. The provisions of this section shall in no way be construed to detract from the City's inherent powers to remove a vehicle or any object animant or inanimant from the streets without notice of any kind for reason affecting the health, safety and general welfare of the City and its citizens, if the circumstances or urgency of the situation reasonably require exercise of such power.

Section 6. That there shall be added to Article VII of Ordinance Number 595, Section 53 as follows:

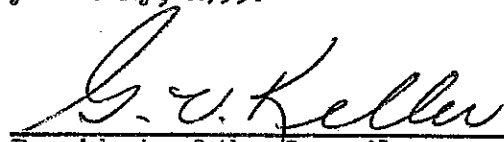
"Section 53. INTERFERENCE WITH SIGNS. No person shall interfere with, deface, remove, disturb or destroy any signs, hoods, barricades, sacks, or other recognizable devices lawfully used as provided in Traffic Ordinance Number 595."

Section 7. That there shall be added to Article VII of Ordinance Number 595, Section 54 as follows:

"Section 54. PENALTY. It shall be unlawful for any person to operate, drive, stand, or park a motor vehicle, or to use the streets, alleys or sidewalks of the City of Lexington in a manner contrary to the provisions of this ordinance, and it shall further be unlawful for any person to whom a duty is placed by the provisions of this ordinance to fail or neglect to comply with the provisions thereof, and every person failing or neglecting to comply with, or violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction of such misdemeanor shall be fined in any sum not exceeding \$100.00 for each offense, and shall stand committed to the City or County Jail in said city until the fine and costs of prosecution are fully paid."

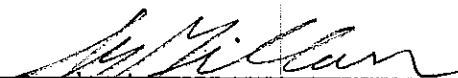
Section 8. That Ordinance Number 550 and Ordinance Number 720 and all parts of Ordinance Number 595 in conflict with this Ordinance, and all other Ordinances which are in conflict herewith are hereby repealed.

Passed and approved this 12th day of July, 1955.



President of the Council

Attest:



City Clerk