

ORDINANCE NO. 2380

AN ORDINANCE TO DEFINE PUBLIC PLACE FOR THE PURPOSES OF CHAPTER 26 OF THE LEXINGTON CITY CODE; TO REGULATE THE PARKING OF VEHICLES PURSUANT TO SAID CHAPTER AS IT PERTAINS TO VEHICLES PARKED ON PUBLIC PLACES FOR THE PURPOSES OF SALE, REPAIR, OR STORAGE; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HERewith, SPECIFICALLY SEC. 26-1 AND 26-193 OF THE LEXINGTON CITY CODE; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA AS FOLLOWS:

Section 1. SECTION 26-1, of the LEXINGTON CITY CODE IS HEREBY REPEALED AND REPLACED WITH THE FOLLOWING:

DEFINITIONS

(a) For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this subsection:

Motor truck means any motor vehicle which is 18 feet or more in length from the extreme front to the rear of such vehicle; or any vehicle which is 72 inches or more in width.

Official traffic control devices means all signs, signals, markings and devices not inconsistent with this chapter *placed* or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

Official traffic signals means any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and proceed.

Police officer means every officer of the city police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

Public place means a place to which the public or a substantial number of the public has access, and includes but is not limited to roadways, highways, transportation facilities, schools, places of amusement, parks, playgrounds, and the common areas of public and private buildings and facilities.

Standing means any stopping of a vehicle, whether occupied or not.

Street means the entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic.

(b) The definitions in R.R.S. 1943, ch. 60, art. 6 (R.R.S. 1943, § 60-601 et seq.) also apply to this chapter.

Section 2. SECTION 26-193, of the LEXINGTON CITY CODE IS HEREBY REPEALED AND REPLACED WITH THE FOLLOWING:

Sec. 26-193. - Certain standing and parking restrictions.

(a) No person shall stop, stand or park any vehicle upon a street in such a manner or under such conditions as to have available less than ten feet of the width of the roadway for free movement of vehicular traffic, except, that drivers may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals or a police officer.

(b) No person shall stand or park any vehicle upon the street in the rear of any vehicle which may be parked at an angle with the curb.

(c) No person shall park any vehicle in any alley, except a commercial vehicle used for delivery purposes, and then only for such time as it is necessary for the actual loading or unloading thereof. In no case shall the stop for loading or unloading exceed 30 minutes. Every such vehicle, while loading or unloading in an alley, shall be parked in such a manner as will cause the least obstruction possible to traffic in such alley.

(d) No person shall park a vehicle in such a manner as to obstruct a private driveway in either streets or alleys. Owners of private driveways may post a suitable sign, approved by and with the authorization of the city manager, at their own expense.

(e) No person shall park any motor vehicle in the front yard or side yard of residential use property, except upon an established driveway connecting to the street at an approved curb cut.

(f) No person shall stand or park a vehicle at the following times and places:

(1) Those streets or portions of streets designated by resolution.

(2) On all streets of the city where proper hoods, sacks, signs or barricades or other recognizable devices have been placed on such parking area as notice, by the city manager. The city manager may prohibit parking for such times as is shown on the notice and limited for such periods as may be required for streets, sidewalks or public utility maintenance, or construction, street flushing, street sweeping, snow removal, tree removal or other instances where the prohibition of parking is necessary or desirable for the protection of workmen or of the public.

(g) No person shall park a vehicle so as to hinder vision in the vicinity of an intersection of two streets, within a sight distance triangle bounded by the centerline of the roadway on the two sides and a line diagonally across the corner lot meeting the centerlines of the roadway 75 feet from their intersection at the corner. The "No Parking Zone" shall be marked by sign or painting of the curb.

(h) It shall be unlawful for any person to park upon any street, alley, public way, or parking facility or other public place within the city any vehicle for the following purposes:

- (1) Displaying such vehicle for sale;
- (2) Washing, greasing or repairing such vehicle, with the exception of repairs necessitated by an emergency, but the duration of said parking during an emergency shall not exceed 30 minutes;
- (3) Temporary storage for such vehicle while it is in the custody of the operator of a garage, auto repair shop, body shop, or other similar business.

Section 3. REPEAL

- (a) That all ordinances or sections of ordinances in conflict herewith are hereby repealed.

Section 4. PAMPHLET FORM

- (a) That this Ordinance shall be published in pamphlet form and take effect as provided by law.

Passed and approved this ____ day of _____, 2016.

Mayor

Attest:

City Clerk