

**Council enacts new Snow Emergency Ordinance-** On December 15<sup>th</sup>, 2008, the St Clair City Council Meeting amended the parking ordinance to eliminate the winter overnight parking restrictions. The prohibition against parking on City Streets between the hours of 2:30am and 6:00am December through April was replaced with a new Snow Emergency Ordinance.

The snow emergency ordinance prohibits parking on any City street when snow exceeds or is expected to exceed 4 inches and a formal declaration has been made. The declaration will be broadcast by numerous local media sources and outlets, as well as on the City of St Clair Website.

## **Frequently Asked Questions - Snow Emergency**

### **When is a Snow Emergency declared?**

The City of St Clair implements a snow emergency when it is predicted or we have received four inches or more of snow accumulation. When a snow emergency is declared, a parking ban automatically goes into effect.

### **How will I receive notice of a snow emergency?**

When a snow emergency goes into effect, it will appear on the homepage of [www.cityofstclair.com](http://www.cityofstclair.com) and on St Clair Community Television (Cable channel 6). In addition, notification will also be made utilizing local commercial media services (WPHM, WHLX, WHLS, WSAQ, WWJ, WJR (radio), WDIV, WXYZ, WJBK (television).

### **If I do not have off-street parking, where can I park during a snow emergency?**

When a snow emergency is called into effect, a parking ban is initiated and it is required that all vehicles be removed from streets once the emergency is put into place. For those who do not have off-street parking, alternative parking is available by using City-owned parking lots. These lots are located at the Pine Shores Golf Course, Greig Park, Rotary Park, Palmer Park, and along Eighth Street at Orchard.

The parking lot at Riverview Plaza is a privately-owned parking lot.

### **How long is a Snow Emergency in effect?**

Snow emergency declarations are in effect until the snow event has passed and the streets have been sufficiently cleared of snow and ice to allow for reasonably safe passage and parking.

### **Who is responsible for shoveling the sidewalks?**

Presently, there is an ordinance requiring the occupant or the person having charge of a property to remove snow, ice, dirt, mud and other objectionable substances from sidewalks fronting or abutting any street or highway where city sidewalks exist. Failure to remove such materials may result in the City undertaking or contracting for such removal and costs charged against the property.

### **Is there a fine for shoveling snow onto the street?**

Yes. Snowblowing, shoveling, or throwing snow back onto the street when clearing driveways or sidewalks is prohibited by City Ordinance.

# St. Clair City Code of Ordinances

## ARTICLE III. PARKING

### DIVISION 2. SNOW EMERGENCIES

#### Sec. 58-41. Prohibition.

No person shall park or allow to remain parked any vehicle on any portion of any roadway within any area designated within the city during a snow emergency, or park or allow to remain parked any vehicle in violation of any parking restriction instituted as part of a declared snow emergency as provided in this division. The registered owner of any such vehicle shall be responsible for the cost of removal.

(Ord. No. 2008-04, § 1, 12-15-08)

#### Sec. 58-42. Definitions.

The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them in this section, except where the context clearly indicates a different meaning:

*Chief* is the chief of police, or in his/her absence, the duly authorized representative.

*Director* is the director of public services, or in his/her absence, the duly authorized representative.

*Roadway* means that portion of a street or highway improved, designed or ordinarily used for vehicular travel, exclusive of the shoulder or berm.

*Street or highway* means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

*Superintendent* is the city superintendent, or in his absence, his duly authorized representative.

(Ord. No. 2008-04, § 1, 12-15-08)

#### Sec. 58-43. Procedure for declaration.

(a) Whenever the director, chief, or superintendent finds, on the basis of falling snow, sleet, or freezing rain, or on the basis of a forecast by the U.S. Weather Bureau or other weather service that weather conditions will make it necessary that motor vehicle traffic be expedited and that parking on city streets be prohibited or restricted for snow plowing and other purposes, the director, chief, or superintendent shall put into effect a parking prohibition on parts of or all city streets by declaring it in a manner prescribed in this section.

(b) Notwithstanding the provisions of subsection (a), a parking prohibition shall automatically go into effect on any street on which there has been an accumulation of snow and ice of four inches or more.

(Ord. No. 2008-04, § 1, 12-15-08)

#### Sec. 58-44. Notice of declaration.

(a) The director, chief, or superintendent, upon declaring a snow emergency, shall cause a public announcement of such parking prohibitions and/or restrictions and the

areas designated for said restrictions by means of broadcasts and/or telecasts from various commercial stations serving the city and on the public access channel of any cable television franchisee servicing the city.

(b) The director shall prepare such declaration of snow emergency and cause it to be posted in the city hall for such period of time as the snow emergency regulations are in effect.

(Ord. No. 2008-04, § 1, 12-15-08)

#### Sec. 58-45. Enforcement.

(a) Members of the police department are hereby authorized to remove or cause the removal and/or impounding of any vehicle that obstructs or otherwise impedes traffic on any street in the city. Such vehicle may be removed and conveyed by or under the direction of a member of the police department by means of towing to a vehicle impound. The chief is authorized to engage the services of any private towing company to remove vehicles under the direction of a member of the police department where the same are found in violation of traffic ordinances and regulations of the city.

(b) Before the owner or person in charge of such vehicle shall be permitted to remove the same from the custody of the police department said owner shall furnish evidence of identity and ownership and shall sign a receipt and pay a fee to cover cost of removal plus the cost of storage; said owner shall pay an additional storage fee for each day the vehicle is stored in the vehicle impound in excess of the first 24 hours the vehicle is impounded.

(c) Whenever this section is alleged to have been violated, the chief or the appropriate designee shall have the authority to issue and serve an appearance ticket upon the violator if they have reasonable cause to believe that a violation has been committed. Such appearance ticket shall be in the form authorized by state law.

(Ord. No. 2008-04, § 1, 12-15-08)

#### Sec. 58-46. Stalled vehicle.

Whenever a vehicle becomes stalled for any reason, whether or not in violation of this section, on any city street on which there is a parking prohibition in effect, the person operating such vehicle shall take immediate action to have the vehicle towed or pushed off the roadway. No person shall abandon or leave his/her vehicle in the roadway, regardless of whether he/she indicates by raising the hood or otherwise that the vehicle is stalled, except for the purpose of securing assistance during the actual time necessary to go to a nearby telephone or to a nearby garage, gasoline station, or other place of assistance and return without delay.

(Ord. No. 2008-04, § 1, 12-15-08)

#### Sec. 58-47. Termination.

Once in effect, a prohibition under this division shall remain in effect until terminated by announcement of the individual declaring the snow emergency in accordance with this section, except that any street area which has become substantially clear of snow and ice from curb to curb for the length of the entire block shall be automatically excluded.

(Ord. No. 2008-04, § 1, 12-15-08)

Sec. 58-48. Exemptions.

In all areas of the city , an owner of a motor vehicle who resides at premises which do not have a driveway shall be exempted from the requirement to move the motor vehicle in the event of a snow emergency; however, residents in the area are required to park their vehicles as close to the curb as possible to make room for snow plows and other emergency vehicles. Motor vehicles with handicapped stickers and duly authorized emergency response vehicles shall also be exempt from the provisions of this division. In addition, vehicles parked on streets or portions of streets specifically excepted from the director's declaration of emergency shall be exempt from the provisions of this division.

(Ord. No. 2008-04, § 1, 12-15-08)

Sec. 58-49. Relationship to other laws.

Any provision of this division which becomes effective by declaration as prescribed above upon the occurrence of certain weather conditions shall, while temporarily in effect, take precedence over other conflicting provisions of law normally in effect, except that it shall not take precedent over provisions of law relating to traffic accidents, emergency travel of authorized emergency vehicles, or emergency traffic directions by a police officer. However, nothing in this section shall be construed to permit parking at any time or place where it is forbidden by any other provision of law.

(Ord. No. 2008-04, § 1, 12-15-08)

Sec. 58-50. Penalty.

A person who violates this section is responsible for a civil infraction.

(Ord. No. 2008-04, § 1, 12-15-08)

Secs. 58-51--58-65. Reserved