

ORDINANCE NO.

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF RAWLINS, CARBON COUNTY, WYOMING, AMENDING RAWLINS MUNICIPAL CODE TITLE 10.33 STOPPING, STANDING AND PARKING

WHEREAS, Wyoming State Statute §15-1-103 (v) provides statutory authority for the City of Rawlins, Carbon County, Wyoming, “**to perform all acts in relation to the property and concerns of the city [or town] necessary to the exercise of its corporate powers**”; and

WHEREAS, Wyoming State Statute §15-1-103 (xi) provides statutory authority for the City of Rawlins, Carbon County, Wyoming, to “take all necessary action to plan, construct, or otherwise improve, modify, repair, maintain and **regulate the use of streets**, including the regulation of any structures thereunder, alleys, any bridges, parks, public grounds, cemeteries and sidewalks”; and

WHEREAS, in certain high density retail areas such as the downtown parking can be a highly sought after with angle parking for larger Sport Utility Vehicles and Extended/Crew Cab Pick-up Trucks being indispensable; and

WHEREAS, the current regulation pronouncing that parking vehicles in excess of twenty (20) feet in length shall be prohibited in angle parking zones only serves to add to this parking congestion realism; and

WHEREAS, the Governing Body of the City of Rawlins, Carbon County, Wyoming, has determined that it would be in the best interest of the safety and welfare of the citizens and visitors to allow vehicles in excess of twenty (20) feet to park in angle parking zones so long as those parking zones can accommodate said vehicles in a safe and prudent manner having regard for all attendant circumstances without interfering with the free movement of traffic thereby ensuring a safe parking experience; and

WHEREAS, Rawlins Municipal Code Title 10.33 Stopping, Standing and Parking fails to adopt the statutory language found within Wyoming State Statutes §31-5-501-§31-5-512; and

WHEREAS, our local law enforcement officials and court staff would greatly benefit from shared legal standards in keeping with the public policy of economy and efficiency; and

WHEREAS, modifying Rawlins Municipal Code to conform to Wyoming State Statutes will not serve to impede or impair the safety of the general welfare or interfere with the free movement of traffic; and

WHEREAS, the Governing Body of the City of Rawlins, Carbon County, Wyoming, finds it justiciable and practical to modify and amend Rawlins Municipal Code Title 10.33

Stopping, Standing and Parking hereby doing so in the best interests of the safety and welfare of its citizenry.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RAWLINS, CARBON COUNTY, WYOMING in accordance with Wyoming State Statute §15-1-103 that Title 10.33 Stopping, Standing and Parking hereby and shall be amended as follows upon proper passage and publication:

Title 10.33

STOPPING, STANDING AND PARKING

Sections:

- 10.33. Method of parking.**
- 10.33. Repealed**
- 10.33. Prohibited in specified places.**
- 10.33. Traffic obstruction prohibited.**
- 10.33. Parking in alleys.**
- 10.33. Parking for certain purposes prohibited.**
- 10.33. Parking adjacent to schools.**
- 10.33. Parking on narrow streets.**
- 10.33. Parking on one-way streets.**
- 10.33. Parking on one-way roadways.**
- 10.33. Parking or stopping near hazardous or congested places.**
- 10.33. Parking outside business or residence districts ~~districts~~ zones.**
- 10.33. Emerging from alley, driveway or building.**
- 10.33. Storage of vehicle in public space prohibited.**
- 10.33. Unauthorized parking on private property.**
- 10.33. Unauthorized parking in front of property of another.**
- 10.33. Handicapped parking.**

Section 10.33.010 Method of parking.

A. The City Council shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets; but the angle parking shall not be indicated upon any federal-aid or state highway within this city unless the Wyoming Highway Department has determined that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

B. On those streets which have been signed or marked by the director of public works for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

C. ~~Vehicles in excess of twenty (20) feet in length are prohibited from parking in angle~~

~~parking zones. More severe~~ The City Council may permit angle parking on a roadway, except that angle parking shall not be permitted on any federal-aid or state highway unless the highway department has determined that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic. [R]estrictions on length may be imposed and indicated by official signs if it is determined by engineering studies that the length limit is required. (Ord. 02-00 Prior code 16-323) (Ord. 11-2007, Amended, 11/06/2007; Manual, Amended, 04/19/2000)

D. The Wyoming Highway Department with respect to highways under its jurisdiction may place official traffic-control devices prohibiting, limiting or restricting the stopping, standing or parking of vehicles on any highway where in its opinion stopping, standing or parking, is dangerous to those using the highway or where the stopping, standing or parking of vehicle would unduly interfere with the free movement of traffic. No person shall stop, stand or park any vehicle in violation of the restrictions indicated by the devices.

Section 10.33.020 Repealed Authority to place signs prohibiting, regulating or restricting parking; handicapped parking; Obedience to signs required.

- A. The City of Rawlins with respect to those [public] streets and all other [public] rights-of-ways or areas within their jurisdiction may place signs prohibiting regulating the time of or restricting the parking of vehicles where in the opinion of the City of Rawlins having jurisdiction thereof, parking is dangerous to those using the streets and other public rights-of-ways or areas where the parking vehicles would unduly interfere with the free movement of traffic thereon, or where it is necessary to regulate parking for the welfare of the general public or for the proper use of [public] streets or [public] rights-of-ways or [public] areas.
- B. Signs reserving parking spaces for the handicapped in public places under the jurisdiction of the City of Rawlins described in Section (A) of this section or placed on private property by the real property owner pursuant to Wyoming State Statute §31-5-111 shall be constructed of durable material, contain the international symbol of accessibility, be no less than twelve inches by eighteen inches (12" x 18") in size and be placed above ground level so as to be visible at all times and not be obscured by a vehicle parked in that space. Parking spaces for the handicapped shall be located on the shortest possible accessible circulation route to an accessible entrance of the building. In public parking lots of ten (10) or more parking spaces, at least two percent (2%) of the total number of available parking spaces but not less than one (1) space shall be reserved for the handicapped. Handicapped parking spaces shall allow easy entrance and exit for wheelchairs, to include signage and any cross-hatched handicapped vehicle access markings that may be adjacent to the handicapped parking space, and be located on a level surface.
- C. The signs specified under this Section and Wyoming State Statute §31-5-111(b) shall be official signs and it is unlawful for any person to willfully park a vehicle in violation of the restrictions, regulations or prohibitions states on the signs. This subsection shall not prohibit use of handicapped parking spaces provided under

subsection (B) of this section by a person issued a distinctive handicapped license plate or transferable identification card by another state and displaying the plate or card on a vehicle used by this person.

- D. It is unlawful for anyone to park a motor vehicle in any area designated or approved for handicapped parking only, unless such person has clearly displayed on such vehicle a handicapped window identification sticker as authorized by Wyoming State Statutes. (1977). (Ord. 5B-83) (Manual, Repealed, 02/01/2000)

Section 10.33.030 Penalty for Violation.

Every person who violates this Rawlins Municipal Code Section 10.33 is guilty of a misdemeanor, and upon conviction thereof by any court of competent jurisdiction, is subject to a fine.

Section 10.33.040 ~~Prohibited in specified places.~~ Specific Places where Prohibited.

- A. Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or other [official] traffic-control device, no person shall:
- i. Stop, stand or park a vehicle:
 - a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 - b. On a crosswalk;
 - c. Within an intersection;
 - d. On a crosswalk;
 - e. Between a safety zone and the adjacent curb or within twenty thirty feet (30') of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
 - f. Along or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
 - g. Upon any bridge or other elevated structure or tunnel;
 - h. On any railroad tracks;
 - i. On any controlled access-highway;
 - j. In the area between roadways of a divided highway or within a highway tunnel;
 - k. At any place where official traffic control devices prohibit stopping;
 - l. On any sidewalk in such a way as to obstruct pedestrian traffic and/or access for physically handicapped persons.
 - ii. Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
 - a. In front of a public or private driveway;
 - b. Within fifteen feet (15') six feet of a fire hydrant;
 - c. Within twenty feet (10') of a crosswalk at an intersection, except in

- a business zone;
- d. Within twenty feet (20') ~~thirty feet~~ upon the approach to any flashing signal, stop sign, yield sign or traffic-control signal located at the side of a roadway;
- e. Within twenty feet (20') of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five feet (75') of the entrance when properly signposted;
- f. At any place where official signs prohibit standing.
- iii. Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:
 - a. Within fifty feet (50') ~~twenty feet~~ of the nearest rail of a railroad crossing;
 - b. At any place where official signs prohibit parking;
 - c. No vehicle which exceeds six feet (6') in height ~~nor for more than~~ six feet in length (6') shall be parked upon any street or roadway within forty feet (40') of the intersection of that street or roadway with any other street or roadway. (Prior code §16-324)

B. No person shall move a vehicle not lawfully under his control into any prohibited area or away from a curb such a distance as is unlawful.

Section 10.33.040 Roadways Outside of Business or Residential Districts Zones.

- A. Outside a business or residential ~~district zone~~, no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the roadway when it is practicable to stop, park or so leave vehicle off the roadway, but in every event an unobstructed width of the roadway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of the stopped vehicles shall be available for a distance of two hundred feet (200') in each direction.
- B. This Section and Wyoming State Statute §31-5-504 does not apply to the driver of any vehicle which is disabled in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the vehicle in that position.
- C. Whenever any police officer finds a vehicle in violation of Section 10.33.040, the officer may move the vehicle, or require the driver or other person in charge of the vehicle to move the vehicle, to a position off the roadway.
- D. Any police officer may remove or cause to be removed to a place of safety any unattended vehicle illegally left standing upon any highway, bridge, causeway, or in any tunnel, in a position or under the circumstances which obstruct the normal movement of traffic.
- E. Any police officer may remove or cause to be removed to the nearest garage or other place of safety any vehicle found upon a highway when:
 - i. Report has been made that the vehicle has been stolen or taken without the consent of its owner;
 - ii. The person in charge of the vehicle is unable to provide for its custody or

removal; or

- iii. When the person driving or in control of the vehicle is arrested for an alleged offence for which the officer is required by law to take the person arrested before a proper judge without unnecessary delay.

Section 10.33.050 Traffic Obstruction Prohibited.

No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than ten feet (10') of the width of the roadway for free movement of vehicular traffic. (Prior code § 16-325)

Section 10.33.060 Parking in Alleys.

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave less than ten feet (10') of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property. (Prior code § 16-326)

Section 10.33.070 Emerging from Alleys, Buildings, Private Road or Driveway

The driver of a vehicle emerging from an alley, building, private road or driveway within a business or residential zones shall stop the vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across the alley building entrance, road or driveway, or if there is no sidewalk area, shall stop at a point nearest the street to be entered where the driver has a view of approaching traffic thereon.

Section 10.33.090 Meeting or Passing Stopped School Buses; Markings and Visual Signals; and Parking Adjacent to Public Schools.

- A. The driver of a vehicle upon meeting or overtaking from either direction any stopped school bus shall stop before reaching the school bus when there is in operation on the school bus flashing red lights as specified in Wyoming State Statute §31-5-929 and the driver shall not proceed until the school bus resumes motion or the flashing red lights are no longer actuated.
- B. Every school bus shall bear upon the front and rear thereof plainly visible signs containing the words "School Bus" in letter not less than eight inches (< 8") in height, and in addition shall be equipped with red visual signals meeting the requirement of Wyoming State Statute §31-5-929, and is receiving or discharging school children in designated school bus loading areas. When stopped to receive or discharge school children, the school bus driver shall keep the bus as far right of the roadway as reasonable. Except at a crosswalk, no school bus shall receive or discharge school children upon a roadway with four (4) or more lanes if the child would be required to cross a lane.
- C. The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or passing a school bus which is on a different roadway or when upon a

controlled-access highway and the school bus is topped in a loading zone which is a part of or adjacent to the roadway.

- D. A recording of images produced by a video system equipped on a school bus under Wyoming State Statute §21-3-131(b)(x) shall be prima facie evidence of the facts contained in it. A recorded image evidencing a violation of subsection (a) of this section shall be admissible in a judicial or administrative proceeding to adjudicate liability for the violation
- E. The Director of Public Works is authorized to erect signs indicating no parking upon either or both sides of any street adjacent to any school property when such parking would, in the opinion of the Rawlins City Council, interfere with traffic or create a hazardous situation. (Prior code § 16-328) (Ord. 11-2007, Amended, 11/06/2007; Manual, Amended, 04/19/2000)

Section 10.33.100 Requirements before Leaving Motor Vehicle Unattended.

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key from the ignition [or removing the key fob from the vehicle], effectively setting the brake thereon and, when standing upon any grade, turning the front wheels to the curb or side of the [roadway].

Section 10.33.110 Parking for Certain Purposes Prohibited.

No person shall park a vehicle upon any roadway for the principal purpose of:

- A. Displaying the vehicle for sale;
- B. Greasing or repairing the vehicle except repairs necessitated by an emergency.

(Ord. 02-00 Prior code § 16-327) (Manual, Amended, 04/19/2000)

Section 10.33.120 Parking alongside Curbs or on Edge of Roadway; Authority of Public Works to Erect Devices Restricting Parking.

- A. Except as otherwise provided in this Section every vehicle stopped or parked upon a two-way roadway shall be stopped or parked with the right-hand wheels of the vehicle parallel to and within eighteen inches (18") of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder.
- B. Except as otherwise provided every vehicle stopped or parked upon a one-way roadway shall be stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within eighteen inches (18") of the left-hand curb or as close as practicable to the left edge of the left-hand shoulder.
- C. The Director of Public Works is authorized to erect official signs upon either side of any one-way street prohibiting the standing or parking of vehicles, and when such signs are in place, no person shall stand or park a vehicle upon such left-hand side in violation of any such sign. (Ord. 02-00 Prior code § 16-330)(Ord. 11-2007, Amended, 11/06/2007; Manual, Amended, 04/19/2000)
- D. The Director of Public Works is authorized to erect signs indicating no parking upon any

street when the width of the roadway does not exceed twenty feet (20'), or upon one side of a street as indicated by such signs when the width of the roadway does not exceed thirty feet (30').

- E. When official signs prohibiting parking are erected upon narrow streets as authorized in this title, no person shall park a vehicle upon any such street in violation of any such sign. (Prior code § 16-329)(Ord. 11-2007, Amended, 11/06/2007; Manual, Amended, 04/19/2000)

Section 10.33. Parking on One-Way Streets.

~~—The Director of Public Works is authorized to erect signs upon either side of any one-way street to prohibit the standing or parking of vehicles, and when such signs are in place, no person shall stand or park a vehicle upon such left hand side in violation of any such sign. (Ord. 02-00 Prior code § 16-330)(Ord. 11-2007, Amended, 11/06/2007; Manual, Amended, 04/19/2000)~~
See Section 10.33.120 Parking along curb.

Section 10.33. Parking on One-Way Roadways.

~~—In the event a highway includes two or more separate roadways and traffic is restricted to one direction upon any roadway, no person shall stand or park a vehicle upon the left hand side of the one-way roadway unless signs are erected to permit such standing or parking may be permitted upon the left hand side of any such one-way roadway and to erect signs giving notice thereof. (Prior code § 16-331) Replaced see Section 10.33.120 Parking along curb. B~~

Section 10.33.130 Parking or Stopping near Hazardous or Congested Places.

A. The Director of Public Works in cooperation with the Chief of Police is authorized to determine and designate by proper signs, places not exceeding one hundred feet in length in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.

B. When official signs are erected at hazardous or congested places as authorized in this chapter, no person shall stop, stand or park a vehicle in any such designated place. (Ord.02-00 Prior code § 16-332) (Ord. 11-2007, Amended, 11/06/2007; Manual, Amended, 04/19/2000)

Section 10.33.130 — Parking outside business or residence districts.

~~—A. Upon any highway outside of a business or residence district no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the paved or main-traveled part of the highway when it is practicable to stop, park or so leave the vehicle off such part of the highway, but in every event an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of the stopped vehicles shall be available for a distance of two hundred feet in each direction upon the highway.~~

~~—B. This section shall not apply to the driver of any vehicle which is disabled while on the paved or main-traveled portion of a highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle in such position. (Prior~~

code § 16-333)* Reinserted above see Section 10.33.040

Section 10.33.140 — Emerging from alley, driveway or building.

~~—The driver of a vehicle within a business or residential zone emerging from an alley, driveway or building shall stop the vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, and shall yield the right of way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right of way to all vehicles approaching on the roadway. (Prior code § 16-334) *Inserted above please see Section 10.33.070~~

Section 10.33.140 Storage of vehicle in public space prohibited.

No owner, manager or employee of any garage, salesroom, shop or other place of business shall permit any vehicle, whether it is stock in trade or left for safe keeping, repair or storage, to be or remain in or upon any alley, street or sidewalk or in any space between the street and the property line adjacent to, in front of or beside any premises in the city. (Ord. 6-77 § 1: prior code § 16-335)

Section 10.33.150 Unauthorized parking on private property.

No operator of a motor vehicle shall permit the vehicle to stand or be parked or be driven upon any private property without the express consent of the owner or lessee of the private property. The police department is authorized to cause any vehicle parked in violation of this section to be removed from the private property at the expense of the registered owner or operator of the vehicle. (Prior code § 16-336)

Section 10.33.160 Unauthorized parking in front of property of another.

It is unlawful for any person to park any vehicle for a continuous period of more than twenty-four hours on a street within the city in front of property belonging to or occupied by another person without the express consent of the owner or occupant. (Ord. 9a-76 § 1: prior code § 16-337)

Section 10.33.170 — Handicapped parking.

~~—It is unlawful for anyone to park a motor vehicle in any area designated or approved for handicapped parking only, unless such person has clearly displayed on such vehicle a handicapped window identification sticker as authorized by Wyoming Statute Section 31-4-408 (1977). (Ord. 5B-83) Reinserted above see 10.33.020~~