

ORDINANCE NO. 15,126

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Sections 114-236, 114-236.015, 114-236.02, 114-485.04 and 114-4175 and adding and enacting new Section 114-4180, relating to city-wide snow removal and establishing odd/even side snow parking zones.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended by amending Sections 114-236, 114-236.015, 114-236.02, 114-485.04 and 114-4175 and adding and enacting new Section 114-4180, relating to city-wide snow removal and establishing odd/even side snow parking zones, as follows:

Sec. 114-236. Vehicle and parking restrictions in snow conditions.

- (a) As used in this section, the term "snow tires" means tires designed for use when there are conditions of snow or ice on the highways and meeting the requirements which shall be promulgated by rule of the director of the state department of transportation pursuant to I.C. § 321.236(12).
- (b) When conditions of snow or ice exist on the traffic surface of a designated snow route, it is unlawful for the driver of a vehicle to impede or block traffic if the driving wheels of the vehicle are not equipped with snow tires, tire chains or nonslip differential.
- (c) Any person charged with impeding or blocking traffic for lack of snow tires, chains or nonslip differential shall have the charge dismissed upon a showing to the court that his or her motor vehicle was equipped with a nonslip differential.
- (d) Standing or parking of vehicles upon a street designated as a "snow route" shall be prohibited at any time when snow route snow-removal operations are in progress and before such operations have resulted in the removal or clearance of snow from such streets curb to curb.
- (e) Standing or parking of vehicles upon streets, except those streets where allowed in subsection (f) below, in designated "odd/even side snow parking" zones, shall be prohibited at any

time when city-wide snow-removal operations are in progress and before such operations have resulted in the removal or clearance of snow from such city streets curb to curb.

- (f) Parking shall be allowed on streets that allow parking on both sides of the street or one side of the street during city-wide snow removal operations in the "odd/even side snow parking" zones on alternating sides of the street as follows:
 - (1) on odd numbered dates on the side of the street with odd numbered addresses, and for streets without numbered addresses, on the north or east side; and
 - (2) on even numbered dates on the side of the street with even numbered addresses, and for streets without numbered addresses, on the south or west side; and
 - (3) this exception shall not apply to snow route streets and where parking is prohibited on both sides of the street."Odd/even side snow parking" zones are designated in division 11 of article XVI of this chapter.
- (g) Standing or parking of vehicles shall be allowed during city-wide snow removal operations on the streets or portions of streets designated in the central business district in division 12 of article XVI of this chapter.
- (h) The parking prohibitions of section 114-358 of this chapter apply to this section.
- (i) A person who violates the provisions of subsections (d) or (e) of this section shall pay a fine of \$35.00.

Sec. 114-236.015. Odd/even side snow parking zones designated.

On the streets or portions of streets designated in division 11 of article XVI of this chapter as within an "odd/even side snow parking" zone, it shall be unlawful, when official signs have been erected per section 114-236.02 giving notice of the designation of such streets as within an odd/even side snow parking zone, to operate a motor vehicle contrary to section 114-236(e).

Sec. 114-236.02. Erection of signs.

The city engineer shall place and maintain signs indicating a snow route at the entrances to the street or part thereof affected and along its length, and indicating an odd/even side snow parking zone at the entrances to the streets which are on the boundaries of an area of streets designated as an odd/even side snow parking zone. These signs shall conform to the specifications set forth in the manual on uniform traffic control devices adopted by the state department of transportation.

Sec. 114-485.04. Form and use of parking citation-complaint forms.

Parking citation-complaints shall be issued by the police department, the department of engineering, and by officers and

other designated personnel upon serially numbered sets of parking citation-complaint forms, each copy of each set to be clearly imprinted with the citation-complaint number. Copies of the citation-complaint forms shall be used as follows: one to be used as a notice of violation to be delivered to the owner of the vehicle, or affixed to the vehicle illegally parked, as provided in sections 114-485 and 114-485.01 of this article; one to be placed on file with the city clerk which may be proceeded upon as a simple notice pursuant to I.C. § 321.236 which, if admitted, may be paid to the city clerk as specified in the citation-complaint or which, if denied, shall be sworn to by an officer as an information and filed in the county district court upon the filing of a written request to receive a date for entering a court appearance and plea as provided in this article; and one to be retained for record purposes by the police department. Citation-complaints which are denied as provided in this article shall be filed in the traffic division of the office of the clerk of the county district court and prosecuted pursuant to law.

ARTICLE XVI

Division 11. Odd/Even Side Snow Parking Zones

Sec. 114-4175. Designated.

The following streets and portions of streets constitute "odd/even side snow parking" zones and drivers of vehicles on streets within such odd/even side snow parking zones shall conform to the provisions of sections 114-236 and 114-236.015 of this chapter:

(1) *Zone "A" Boundary Description.*

The Zone "A" boundary description is as follows: beginning at a point on the west side of 42nd Street and the north side of Forest Avenue, thence east along the north side of Forest Avenue, thence northwest along the southwest side of Beaver Avenue, thence northeast along the northwest side of Witmer Parkway, thence north along the west side of 34th Street, thence east along the north side of Jefferson, thence north along the west side of 30th Street, thence east along the north side of Franklin Avenue and an extension of the north side of Franklin Avenue, thence north along the west side of 23rd Street, thence east along the south side of Lincoln Avenue, thence south along the east side of Martin Luther King Jr Parkway, thence west along the north side of Interstate 235, thence north along the west side of 42nd Street to the point of beginning.

(2) *Zone "B" Boundary Description.*

The Zone "B" boundary description is as follows: beginning at a point on the west side of 9th Street and the north side of University, thence north along the west side of 9th Street, thence east along the north side of Hickman Road and continuing along the north side of Arlington Avenue, thence east along the north side of Franklin Avenue, thence south along the east side of 2nd Avenue, thence west along the north side of University Avenue to the point of beginning.

(3) *Zone "C" Boundary Description.*

The Zone "C" boundary description is as follows: beginning at a point on the west side of Martin Luther King Jr Parkway and the north side of Ingersoll Avenue, thence north along the west side of Martin Luther King Jr Parkway, thence east along the south side of Interstate 235, thence south along the east side of 15th Street, thence west along the north side of Ingersoll Avenue to the point of beginning.

Secs. 114-4176-114-4179. Reserved.

Division 12. Central Business District Boundary Description

Sec. 114-4180. Designated.

Within the central business district constituted of all streets located within the area bounded by a point beginning on the east side of Martin Luther King Jr Parkway and the north side of Grand Avenue, thence east to the west side of 19th Street, thence north to the north side of Ingersoll Avenue, thence east continuing along the north side of Ingersoll Avenue and the north side of High Street, thence north along the west side of 10th Street, thence east along the north side of Pleasant Street, thence north along the west side of 9th Street, thence east along the north side of Keosauqua Way, thence east along the north side of Keosauqua Way and continuing along the north side of Park Street and continuing on a straight line across the Des Moines River and along the north side of Des Moines Street, thence south along the east side of Pennsylvania Avenue and continuing south along the east side of East 7th Street, thence east along the north side of East Walnut Street, thence south along the east side of Dey Street, thence west along the south side of East Court Avenue, thence south along the east side of Water Street and Southwest Water Street, thence west along the south side of West Martin Luther King Jr Parkway, thence north and west along the center of the Raccoon River, thence north along the east side of Martin Luther King Jr Parkway to the point of beginning.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Ann DiDonato, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 12-1365), passed by the City Council of said City at a meeting held August 27, 2012 signed by the Mayor on August 27, 2012 and published as provided by law in the Business Record on September 14, 2012. Authorized by Publication Order No. 7933.

Diane Rauh, City Clerk