

Section 1010:12 – Snow Emergency Parking

Section 1010:12. Parking During Snow Emergencies.

Subd. 1. Definitions. For the purpose of this ordinance, the following words shall have the meanings given to them in the following subdivisions:

1. “City” as used in this ordinance is the City of Foley, Minnesota.
2. “Emergency”. The condition deemed to exist in the city when snow, snowdrifts, freezing rain, sleet or other natural phenomena causes hazardous road conditions impeding or likely to impede the free movement of fire, health or police equipment or otherwise endangers the safety and welfare of the city and its people.
3. “Street or Streets”. One or more, as the case may be, of the streets, avenues and boulevards of the city.
4. “Vehicles”. Automobiles, trucks, trailers, tractors and all other substantial things on wheels designed to facilitate the movement thereof from place to place.

Subd. 2. Notice of Existence of Emergency Conditions. Whenever the City Parking Enforcement Officer shall find, after due investigation, that an emergency exists in respect of one or more of the streets, he shall forthwith make a declaration, in writing, stating that such an emergency exists, giving the name of such street or streets, and file the same in the office of the City Administrator endorsing thereon the exact time of such filing.

1. Such notice shall state that such emergency shall continue for a period of 24 hours from the filing of the same and that it will be unlawful to park or to leave parked in such street or streets any vehicle while the emergency shall continue to exist.
2. He shall cause a copy of such notice of emergency to be published in the next available issue of the official newspaper of the city and also give a copy of such notice to any radio station or other newspaper willing to broadcast or publish the same as news.

Subd. 3. Parking On Certain Streets During Emergency Prohibited.

1. It shall be unlawful to park or to leave parked any vehicle on any street or part of such street as shown in the notice of an existing emergency during the period of time such emergency continues, except that this section shall not be so construed as prohibiting any vehicle from stopping for a period

of not exceeding five minutes, for the purpose of taking on or discharging passengers or delivering food, milk or other goods, or wares, providing it is done at such times and in such manner as not to impede the work of abating the conditions creating the emergency.

2. Any person unlawfully parking or leaving a vehicle parked or owner of any vehicle unlawfully parked shall be guilty of a misdemeanor and subject to prosecution therefore.

Subd. 4. Impoundment of Vehicle Parked Illegally During Emergency. If any vehicle is found unlawfully parked or left parked as provided by this section, such vehicle may be towed away by the city or its authorized agent and impounded until the owner thereof shall pay the costs of such towing and the further sum of all storage charges while so impounded.

Subd. 5. Notice to Owner. Upon the impounding of any vehicle hereunder, the person in charge of such vehicle shall immediately notify the City Parking Enforcement Officer of such impoundage, who shall forthwith make every reasonable effort to ascertain the name and the address of the person owning the vehicle, and if ascertained, the Parking Enforcement Officer shall immediately advise the owner by letter, duly addressed to him and deposited in the U. S. Post Office of the City. In such letter he shall:

1. Give the general description of the vehicle and the license number thereon if there be one.
2. Give the approximate time of its removal and the reason therefore and the place where it is stored.
3. State the towing charge and the daily storage charge.
4. Advise him that to release the vehicle, he must produce a reasonably satisfactory evidence showing him to be the owner of the vehicle.

Subd. 6. Evidence of Ownership Required for Redemption of Vehicle. Any person desiring to release any impounded vehicle must produce evidence showing him to be the owner of the impounded vehicle.

Section 1010 of the 1974 Code of Ordinances was amended by adding Section 1010:12, adopted November 20, 1979, published and effective December 26, 1979.

Section 1010:12, Subd. 2 and Subd. 5, of the 1974 Code of Ordinances was amended by Ordinance Number 397, passed and adopted January 3, 2012.