

THE CITY OF CHELSEA, ALABAMA
ORDINANCE NO. 2020-07-07-833

AN ORDINANCE OF THE CITY OF CHELSEA, ALABAMA, ENTITLED
“RESTRICTIONS ON PARKING”

WHEREAS, the City of Chelsea, Alabama, pursuant to the police powers delegated to it by the Alabama Constitution and the Alabama Code, has the authority to enact laws which promote the public health, safety and general welfare of its residents; and

WHEREAS, is in the best interest of the City of Chelsea and the general public for the City to impose restrictions on parking within the city limits; and

WHEREAS, the intent of this Ordinance is to protect the public health, safety, quiet enjoyment of residential property, and general welfare, rather than to punish, and therefore, provide that persons in violation of the restrictions imposed herein shall be subject to civil fines for such violations and/or the costs associated with abating the violation or public safety risks imposed by the same;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
CHELSEA, ALABAMA, AS FOLLOWS:

Section 1. Title.

This Ordinance shall be known as “RESTRICTIONS ON PARKING.”

Section 2. Legislative Purpose and Findings.

The recitals set forth above are incorporated herein as legislative finding by the City Council.

Section 3. Definitions.

For the purpose of this Ordinance, and unless context clearly requires otherwise, the following definitions shall apply:

- (1) “Driveway” means any area which is constructed for the purpose of parking motor vehicles, and which is improved. It shall also mean an area adjacent to a curb cut providing vehicular access between a street and an off-street parking area, including a circular driveway, and/or as defined by the current subdivision rules and regulations of the city (if applicable).
- (2) “Improved” means surfaced with asphalt, concrete, brick, or other suitable pavers. Gravel or crushed stone may be used if gravel is at least two inches deep throughout the vehicular use areas and the vehicular use area has a visible and definable edge made of landscape timbers, metal edging, vegetation such as low shrubs or decorative grass or similar technique to distinguish the vehicular use area from the front or side portions of the yard.

- (3) "Motor vehicle" or "vehicle" means every vehicle which is self-propelled or propelled by electric power, and any wheeled apparatus that may be towed by the same. This definition includes, but is not limited to, passenger vehicles, automobiles, motorcycles, golf carts, motor homes, recreational vehicles, four wheelers, water craft, non-motorized campers, or any trailer designed to be towed/pulled by a motor vehicle and/or to carry a watercraft, camper or motor vehicle.
- (4) "Owner" shall mean that person or those persons on whose property the vehicle is parked or located and/or that person or those persons who are the registered owners of said vehicle(s).
- (5) "Park or parking" means the stopping or standing of a vehicle or motor vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading goods, merchandise, or passengers.
- (6) "Person" shall mean any person, firm, partnership, association, corporation, company or organization of any kind.
- (7) "Principal building or residence" means the principal dwelling house or that building which is closest in distance to the public street if there is no principal dwelling house.
- (8) "Private property" shall mean any real property within the city which is privately owned and which is not public property as defined in this section.

Section 4. Restrictions on Parking of Vehicles.

- (a) No person shall park any vehicle upon a street, whether on public or private property, in such a manner or under conditions as to leave available less than fourteen (14) feet of the width of the roadway.
- (b) No person shall park any vehicle upon a street, whether on public or private property, in such a manner or under conditions as to obstruct the movement or inhibit the free flow of vehicular traffic.
- (c) No person shall park or stop any vehicle upon a public alley or roadway in such a position as to either block or impede vehicles from entry to or exit from the driveway of the residence of another.
- (d) No person shall park any vehicle on a sidewalk.
- (e) No person shall park on the roadway side of any other vehicle stopped or parked at the edge or curb of a street.
- (f) No person shall park at or on any place where official signs prohibit parking or stopping, and/or the curb is marked in yellow.

- (g) No person shall park on the premises of another having been warned not to do so by word of mouth, sign, or otherwise, provided that this section shall not apply to employees of the city in discharge of their official duties.
- (h) No person shall park in any place marked as a loading and unloading zone for a period of time longer than reasonably necessary for the loading and unloading associated with the place so marked.
- (i) Notwithstanding the restrictions imposed herein or as per any other City Ordinance, no person shall park a vehicle on any public street, public highway, or other non-private property, including both within the right-of-way and along the curbside of a home in a residential neighborhood, for longer than 30 days in succession.
- (j) Notwithstanding the restrictions imposed herein or as per any other City Ordinance, no person shall park a vehicle on any public street, public highway, or other non-private property, including both within the right-of-way and along the curbside of a home in a residential neighborhood, that is either: (1) objectively appearing to be inoperable or otherwise not capable of functioning in its parked condition as a “motor vehicle” or “vehicle” as defined above, or (2) lacking a license plate/tag that is current or otherwise compliant with State law.
- (k) No person shall park any vehicle within fifteen (15) feet of either an intersection, stop sign, or fire stand pipe/sprinkler connection.
- (l) No person shall park a vehicle in a manner that obstructs the movement by or operation of emergency response vehicles.
- (m) No person shall park in a designated handicapped zone unless authorized in accordance with State law.

Any person that violates any of the above restrictions within the city limits of the City of Chelsea, Alabama, shall be guilty of an offense against the City of Chelsea, Alabama.

Section 5. Exceptions.

The provisions of *Section 4* shall not apply to the following:

- (1) Emergency, law enforcement, and public service vehicles whose operators are performing official duties or services for which they are responsible; or
- (2) City officials, employees, and agents of the city who are performing official duties or services for which they are responsible.

Section 6. Owner Presumed Operator.

The vehicle operator or any person that causes a vehicle to be parked in violation of this Ordinance shall be responsible as stated herein, however, if that person is unknown, it is presumed that the owner of said vehicle caused the vehicle to be so parked.

Section 7. Responsibility for Removal.

In the event any vehicle parked in violation of this Ordinance also poses a public safety risk, the city may tow or otherwise remove the vehicle to abate said risk. Additionally, in the event any vehicle is parked in violation of *Sections* 4(i) or 4(j), the city may tow the vehicle to relocate it accordingly. Upon removal and relocation or disposition by the city, the owner (or operator, if known) of the vehicle so parked shall be liable for the expenses incurred by the city.

Section 8. Penalties.

Violation of *Section* 4(a), 4(b), 4(c), 4(d), 4(e), 4(f), 4(g), 4(h), or 4(i): \$25.00 fine;

Violation of *Section* 4(j), 4(k), or 4(l): \$50.00 fine;

Violation of *Section* 4(m): \$100.00 fine.

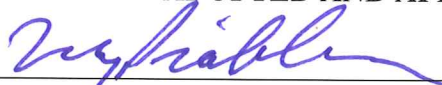
Section 9.

Should any portion of this Ordinance for any reason be held illegal, inoperative, invalid, unconstitutional or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted or ordained without the portion held to be illegal, inoperative, invalid, unconstitutional or ineffective.

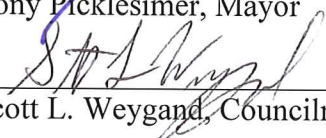
Section 10.

This Ordinance shall take effect 30 days from the date adopted and approved.

ADOPTED AND APPROVED THIS THE 7th DAY OF JULY, 2020



Tony Picklesimer, Mayor



Scott L. Weygand, Councilmember

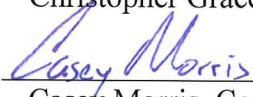
Tiffany Bittner, Councilmember



Cody Sumners, Councilmember



Christopher Grace, Councilmember



Casey Morris, Councilmember

I, the undersigned City Clerk of the City of Chelsea, Alabama, do hereby certify that the above and foregoing is an ordinance lawfully passed and adopted by the City Council of the City of Chelsea, Alabama, at a regular meeting of such Council held on the 7th day of July, 2020, and that such ordinance is on file in the office of the City Clerk.

Attested by:


Crystal Etheredge, City Clerk