

ORDINANCE NO. 381

AN ORDINANCE REGULATING PARKING ON PUBLIC STREETS, ALLEYS, AND HIGHWAYS IN THE CITY OF BEULAH, MERCER COUNTY, NORTH DAKOTA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEULAH, MERCER COUNTY, NORTH DAKOTA, AS FOLLOWS:

1. That Ordinances No. 173 and No. 256 regarding forty-eight (48) hour parking are hereby repealed.
2. That subject to paragraph 3 below, it shall be unlawful for any person to park or leave standing on any public street, alley, highway, or right-of-way for more than forty-eight (48) consecutive hours, any vehicle, boat, snowmobile, bumper pull travel trailer, fifth wheel trailer, pull type camper, pickup camper, or motorhome, whether operable or inoperable, or trailer left parked or standing on any public street, alley, highway or right-of-way for a consecutive period longer than forty-eight (48) hours. This forty-eight (48) hour parking restriction shall not include or apply to any area where a shorter time is provided for parking, nor shall this section be construed to permit parking for a longer time than is provided in such areas.
3. It shall be unlawful for any person to park or leave standing any boat, bumper pull travel trailer, fifth wheel trailer, pull type camper, pickup camper, motorhome, or trailer on any public street, alley, highway, or right-of-way in the City of Beulah, from

October 1st through April 15th of each year.

4. It shall be unlawful for any person to park or leave standing on any public street, alley, highway, or right-of-way in the City of Beulah any semi or full trailer unless attached to the tractor or tractor chassis used to pull it, be parked or left standing on any public street, alley, highway, or right-of-way in the City of Beulah except for emergency or temporary stopping, parking or unloading, and then only for such period of time necessary to accomplish the task at hand. It should also be noted that Beulah City Ordinance No. 362 regulates the parking of heavy vehicles within the City Limits of the City of Beulah and that nothing in this Ordinance shall in any other manner affect said City Ordinance No. 362.
5. Every vehicle, boat, snowmobile, bumper travel trailer, fifth wheel trailer, pull type camper, pickup camper, motorhome or trailer stopped or parked upon any public street, alley, highway, or right-of-way in the City of Beulah must be stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement and in a manner so as not to obstruct other vehicles entering or exiting driveways and in such a manner as not present a site obstruction for people backing out of their driveways or for people entering

intersections.

6. Vehicle shall be defined to include every devise in, upon, or by which any person or property may be transported or drawn upon a public road, alley, highway, or right-of-way, except devises moved by human power or used exclusively upon stationery rails or tracks.
7. It is the policy of the Beulah City Police Department that the Beulah City Police Department, it's officers and agents shall not actively enforce the above referenced forty-eight (48) hour parking provision as specified in paragraph 2 above. However, any and all complaints received by the City of Beulah Police Department alleging a forty-eight (48) hour parking violation will be investigated, and if determined after such investigation that a violation in this regard has occurred, a citation will be issued to the person violating this Ordinance.
8. In any prosecution charging a violation of paragraphs 2, 3, 4, or 5 above, proof that the particular vehicle, boat, snowmobile, bumper pull travel trailer, fifth wheel trailer, pull type camper, pickup camper, motorhome or trailer described in the complaint was not moved a distance of at least 200 feet from its original position, shall be considered proof that the vehicle was not moved at all for the purposes of this Ordinance.

9. It shall be unlawful for any person, other than a police officer, to alter, remove, or in any way interfere with the chalk or other marking placed on a vehicle, boat, snowmobile, bumper pull travel trailer, fifth wheel trailer, pull type camper, pickup camper, motorhome or trailer by police officers in enforcing parking ordinances.
10. Any above mentioned vehicles or trailers which shall remain in violation of paragraphs 2, 3, 4 or 5 above for more than forty-eight (48) hours after a citation, charging a violation of said Ordinance, shall have been placed on such vehicle or trailer, may be removed to the City Hall or other place within the City of Beulah designated for the purpose, and may be impounded and retained until the expense of removal, storage, and impounding is paid, together with the amount of any fine, cost, or other claims of the City of Beulah against the owner, or any other person lawfully entitled to the possession thereof.
11. Penalty for violating paragraphs 2, 3, 4 or 5 above of this Ordinance shall be a fine in the amount of Twenty Dollars (\$20.00). Penalty for violating paragraph 9 of this Ordinance shall be a fine in an amount not to exceed Five Hundred Dollars (\$500.00).

12. All ordinances or parts of ordinances in conflict herewith are hereby rescinded and repealed.
13. This ordinance shall be in full force and effect upon its final passage and publication of its title and penalty provision.
14. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

DATED this 2nd day of June, 2008.


DARRELL BJERKE
Mayor

ATTEST:


LINDA A. WIEDRICH
City Auditor

Introduction and First Reading: May 19, 2008

Second Reading and Final Passage: June 2, 2008

Publication Date: June 12, 2008

Effective Date: June 12, 2008