



Bill No. 4054

Ordinance No. \_\_\_\_\_

INTRODUCED BY

ALDERMEN UTT, FINLEY, STALLMANN, ROACH, FLEMING, LEAHY, KERLAGON, BULLINGTON

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AN ORDINANCE AMENDING SECTION 15-266 WITH REGARD TO ILLEGAL PARKING.

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WHEREAS, the Missouri Supreme Court recently adopted a Uniform Fine Collection Schedule and Ballwin's illegal parking ordinances do not permit the payment of fines out of court without reassignment of the state charge codes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Section 15-266 of the Code of Ordinances of the City of Ballwin shall be amended as follows:

Sec. 15-266. - Stopping, standing or parking prohibited.

(a) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

(1) 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 sidewalk.

c. Within an intersection.

d. On a crosswalk.

e. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the board of aldermen indicates a different length by signs or markings.

f. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic.

g. Upon any bridge or other elevated structure upon a highway or within a highway tunnel.

h. On any railroad tracks.

i. At any place where official signs prohibit stopping.

j. Within eight feet of a public U.S. mailbox at any time.

k. Within eight feet of a mailbox located on or at private property between the hours of 8:00 a.m. and 5:00 p.m. except on Sunday and federal holidays.

l. Within 15 feet of an intersection.

(2) 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 15 feet of a fire hydrant.

c. Within 20 feet of a crosswalk at an intersection.

d. Within 30 feet upon the approach to any flashing signal, stop sign, or traffic control signal located at the side of a roadway.

e. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of such entrance (when properly signposted).

f. At any place where official signs prohibit standing.

(3) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers at any place where official signs prohibit parking.

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

(c) No person shall park a vehicle on any street for an uninterrupted period of time longer than 24 hours.

(4) Parking on streets in the event of snow, ice or freezing rain:

(a) Whenever there has been an accumulation of snow of two inches or more or ice or freezing rain within the city, the parking of vehicles on any part of any street within the city is prohibited until the snow, ice or freezing rain has been cleared to such an extent as to permit the movement on the street of emergency vehicles, including police cars, fire trucks and ambulances.

(b) Any person in possession of a vehicle or owner of a vehicle parked in violation of this section shall be precluded from defending the violation on the grounds that such person or owner was not able to park the vehicle on adjoining property by reason of the snow or ice conditions or lack of space to park thereon, including in the driveway or garage.

(c) Any person found guilty of violating the provisions of this section shall be subject to the

penalties provided for violating the provisions of this Code.

(d) Vehicles parked in violation of this section shall be removed in accordance with section 15-277.

(5) Fire lanes and fire lane designations.

(a) When signs are erected or the pavement is marked giving notice thereof, no person shall stop, leave or park a vehicle at any time upon any portion of a public or private street, highway, roadway, alley, or driveway set forth in section 15-493, schedule V, pertaining to fire lanes. In emergencies the chief of police or his representatives are authorized and empowered to establish and designate fire lanes to provide unobstructed access for fire apparatus and emergency vehicles.

(b) It shall be unlawful for any person to stop, park or leave a vehicle in or upon, or to obstruct in any manner, any fire lane so designated by the chief of police and marked with appropriate signs or markings.

(c) The presence of any vehicle in or upon or obstructing in any manner any fire lane in violation hereof shall be prima facie evidence that the person in whose name such vehicle is registered committed such violation. If the vehicle is operated by someone other than the registered owner thereof, the registered owner shall furnish the name, address and operator's license number of the person operating the vehicle at the time the violation occurred to the chief of police within three working days from the time of receipt of a notice of the violation from the police department. If the registered owner shall fail to furnish such information within the time provided above, the registered owner shall then be deemed to have committed the violation. The report in writing from the registered owner of the name of the person having operated the vehicle shall be prima facie evidence that the person named committed the violation.

(d) Members of the police department shall have the same authority to remove a vehicle stopped in, parked in, or obstructing a fire lane, and they shall follow the same procedure as set forth in section 15-277.

(e) Fire lanes so designated by the chief of police shall be posted with appropriate signs or markings as specified by the chief of police in order that the public will be aware of the existence of such fire lanes. In cases of fire lanes established on private property, the owner thereof shall provide such signs or markings at the owner's expense and within 30 days after the owner shall have been notified of the designations by the chief of police. In cases of fire lanes established on public property, the chief of police shall provide with signs or markings at the expense of the city. If the owner of such property does not comply within 30 days of such notification or such other time as the chief of police or his representative shall provide, for good cause shown, not to exceed 90 days, the chief of police shall close access to such property until such signs or markings are posted.

(f) Any person found guilty of violating the provisions of this section shall be subject to the penalties provided for violating the provisions of this Code.

(6) It shall be unlawful to park for the following purposes:

(a) No person shall park a vehicle on any roadway for the principal purpose of washing, greasing or repairing such vehicle, except repairs necessitated by an emergency.

(b) It shall be unlawful for any person to park any vehicle displayed "for sale" upon any public or private parking lot within the city. The provisions of this subsection shall not apply to any motor vehicle dealer duly licensed to do such business within the city.

(7) No person shall stop, stand or park any vehicle within the limits of the right-of-way of State Highway 100 within the city, except in case of emergency or at the direction of a police officer.

(8) Hard surface required for parking.

(a) No parking shall be permitted in the front yard of any property within the city except on a hard-surfaced driveway or other hard surface. Anyone desiring to hard surface any portion of the public right-of-way shall first apply for a permit for such purpose. No permit shall be granted to hard surface any portion of the public right-of-way except that portion contained in the driveway for such residence.

(b) The provisions of subsection (a) above notwithstanding, motor vehicles may be temporarily parked on a surface other than a hard surface in the R-1, R-2, R-3, and PA districts for a period not to exceed 24 hours; however, regular parking, storage or display for sale of any motor vehicle on a surface other than a hard surface is prohibited at any time.

(9) No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.

(10) Except as otherwise provided in this chapter, every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right hand wheels of such vehicle parallel to and within 18 inches of the right hand curb and headed in the direction of lawful traffic movement.

Section 2. Sections 15-230, 15-262, 15-267, 15-269, 15-276, 15-280 and 15-282 of the Code of Ordinances of the City of Ballwin are hereby repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage and approval.



**Bill No. ~~4054~~**

**PASSED** this \_\_\_\_ day of \_\_\_\_\_, 2020.

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***TIM POGUE, MAYOR***

**APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2020.

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***TIM POGUE, MAYOR***

**ATTEST:** \_\_\_\_\_  
***ROBERT KUNTZ, CITY ADMINISTRATOR***