

AN ORDINANCE TO AMEND THE PARKING, SNOW REMOVAL AND MAINTENANCE ORDINANCE 5-515 WITHIN THE VILLAGE OF PENDER TO CREATE SNOW EMERGENCY ROUTES, TO AUTHORIZE THE VILLAGE MAINTENANCE SUPERVISOR TO DECLARE SNOW EMERGENCIES, TO CREATE A CRIMINAL OFFENSE FOR PARKING ON A SNOW EMERGENCY ROUTE DURING A SNOW EMERGENCY, THE AUTHORIZE LAW ENFORCEMENT TO TOW VEHICLES PARKED IN VIOLATION OF THIS ORDINANCE, TO SET AN EFFECTIVE DATE OF THE ORDINANCE AND REPEAL ALL ORDINANCES IN CONFLICT.

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF PENDER, NEBRASKA:

Section I:

Ordinance Section 5-515 shall be amended to read as follows:

Section 5-515. Parking; Snow emergency, removal and maintenance, creating criminal offense, and establishing towing authorization.

A) The Village Board is authorized to establish snow emergency routes upon any street or highway in the village limits and may place appropriate signs, marks, lines, signals, or other traffic control devices, indicating the existence of the snow emergency routes, which shall include, but not be limited to, Main Street, from First Street to Sixth Street.

B) The Village maintenance supervisor shall publicly announce each declaration of a snow emergency made pursuant to this chapter by means of broadcast or telecast from broadcasting stations with a normal operating range covering the Village. Each announcement shall describe the action taken by the maintenance supervisor, including the time it became or will become effective and shall specify the streets or areas affected.

C) The Village maintenance supervisor shall declare the parking prohibition terminated, in whole or in part, effective immediately upon announcement or at a later specified time.

D) The Village maintenance supervisor may order a parking prohibition on all snow emergency routes by declaring that an emergency exists on the basis of falling snow, sleet, freezing rain or other weather conditions making it necessary that parking on a snow emergency route be prohibited for snow plowing or other purposes. It shall be unlawful for any person to park or allow to remain parked any vehicle on any portion of a snow emergency route during a parking prohibition affecting such streets. Penalties for violation shall be those set forth in 5-601.

E) Law enforcement officers are authorized to remove or have removed a vehicle from a street when one or more of the following occur:

- 1) The vehicle is parked on a snow emergency route on which a parking prohibition in effect
- 2) The vehicle is stalled on a snow emergency route on which there is a parking prohibition in effect and the person who is operating the vehicle does not appear to be removing it.
- 3) The owner or other person lawfully entitled to possession of any vehicle towed or stored shall be charged with the reasonable cost of towing and storage fees. Any such towing or storage fees shall be a lien upon the vehicle prior to all other claims. Any person towing or storing a vehicle shall be entitled to retain possession of the vehicle until the charges are paid.

Section II.

All ordinances and parts of ordinances passed and approved prior to the passage and approval of this ordinance, and in conflict herewith, is hereby repealed.

Section III.

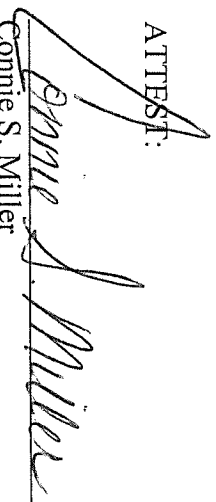
This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as provided by law.

PASSED AND APPROVED this 11 day of March, 2013.

VILLAGE OF PENDER, NEBRASKA

By:   
Chairman of the Board

ATTEST:

  
Connie S. Miller  
Village Clerk