

ARTICLE 5: PARKING

§ 5-501 PARKING; GENERALLY.

No person shall park any vehicle, or approach the curb with a vehicle, except when headed in the direction of the traffic. Vehicles, when parked, shall stand parallel with and adjacent to the curb or edge of the roadway, in such manner as to have both right wheels within twelve (12) inches of the curb, except where the Governing Body designates that vehicles shall be parked at an angle so as to have the front right wheel at the curb. Where stalls are designated either on the curb or pavement, vehicles shall be parked within such stalls. (*Ref. 39-697 RS Neb.*)

§ 5-502 PARKING; DESIGNATION.

The Governing Body may, by resolution, designate any street, or portion thereof, where vehicles shall be parked parallel with and adjacent to the curb or at an angle so as to have the right front wheel at the curb. (*Ref. 39-697 RS Neb.*)

§ 5-503 PARKING; AREAS.

The Governing Body may, by resolution, set aside any street, alley, public way, or portion thereof where the parking of a particular kind or class of vehicle shall be prohibited, or where the parking of any vehicle shall be prohibited. No vehicle prohibited from parking thereon shall stand or be parked adjacent to the curb of said street, alley, public way, or portion thereof, longer than a period of time necessary to load and unload freight or passengers. (*Ref. 39-697 RS Neb.*)

§ 5-504 PARKING; STOPPING, STANDING, OR PARKING OF VEHICLES PROHIBITED; EXCEPTIONS.

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

(a) Stop, stand, or park any vehicle:

1. On a sidewalk;
2. On a crosswalk;
3. Within an intersection;
4. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
5. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking of such vehicle would obstruct traffic;
6. Upon any bridge;
7. On any railroad track, or
8. At any place where official signs prohibit stopping.

(b) Stop, stand or park a vehicle, whether occupied or not, except momentarily for the purpose of and while actually engaged in loading or unloading of merchandise or passengers:

1. In front of an alley, public or private driveway;
2. Within twenty (20) feet of a crosswalk at an intersection;
3. Within thirty (30) feet of any flashing signal, stop sign, yield sign, or other traffic control device located at the side of a roadway;
4. Within fifty (50) feet of the nearest rail of a railroad crossing; or
5. At any place where official signs prohibit parking.

(2) No person shall move any vehicle, whether lawfully or not lawfully under his or her control, into any area prohibited under section one hereof, or away from a curb such a distance as shall be unlawful. (*Amended by Ord. No. 681, 2/3/98*)

§ 5-505 VEHICLE WEIGHT LIMITATIONS.

No vehicle over ten (10) tons in weight shall operate, load or unload upon any street in the Municipality except the following:

A Street and Walnut Street from First Street to Park Avenue
Elm Street from First Street to Park Avenue
First Street
Park Avenue from Walnut to U.S. Highway 6
B Street from First Street to U.S. Highway 6
State Street south of U.S. Highway 6
F Street from Sixth Street to Fifth Street

Occasional deliveries to residences
(*Amended by Ord. Nos. 403, 6/1/76; 448, 5/1/79*)

§ 5-506 PARKING; FIRE HYDRANTS AND STATIONS.

No vehicle shall be parked within fifteen (15') feet in either direction of any fire hydrant nor within twenty (20') feet of the driveway entrance to any fire station. The curb space within such area of fifteen (15') feet in either direction of such fire hydrant shall be painted red to indicate such prohibition. (*Ref. 39-672 RS Neb.*)

§ 5-507 PARKING; OBSTRUCTING TRAFFIC.

No person shall, except in case of an accident or emergency, stop any vehicle in any location where such stopping will obstruct any street, intersection, or entrance to an alley or public or private drive. (*Ref. 39-697 RS Neb.*)

§ 5-508 PARKING; CURBS, PAINTED.

It shall be the duty of the Street Commissioner to cause the curb space to be painted and keep the same painted as provided in this Article. No person, firm, or corporation shall paint the curb of any street, or in any manner set aside, or attempt to prevent the parking of vehicles in any street, or part thereof, except at such places where the parking of vehicles is prohibited by the provisions of this Article. The marking or designating of portions of streets or alleys where the parking of vehicles is prohibited or limited shall be done only by the Municipality through its proper officers, at the direction of the Governing Body. (*Ref. 39-697 RS Neb.*)

§ 5-509 PARKING; DISPLAY OR REPAIR.

It shall be unlawful for any person to park upon any street, alley, or public place within this Municipality any vehicle displayed for sale. No person shall adjust or repair any automobile or motorcycle, or race the motor of same, while standing on the public streets or alleys of this Municipality, excepting in case of breakdown or other emergency requiring same. No person or employee connected with a garage or repair shop shall use sidewalks, streets, or alleys in the vicinity of such garage or shop for the purpose of working on automobiles or vehicles of any description. *(Ref. 39-697 RS Neb.)*

§ 5-510 PARKING; TIME LIMIT.

The Governing Body may, by resolution, entirely prohibit, or fix a time limit for, the parking and stopping of vehicles on any street, streets, or district designated by such resolution, and the parking, or stopping, of any vehicle in any such street, streets, or district, for a period of time longer than fixed in such resolution shall constitute a violation of this Article. *(Ref. 39-697 RS Neb.)*

§ 5-511 PARKING; MAXIMUM TIME LIMIT.

The parking of a motor vehicle on a public street for over forty-eight (48) consecutive hours is unlawful, except where a different maximum time limit is posted. *(Ref. 39-697 RS Neb.)*

§ 5-512 PARKING; SNOW REMOVAL AND MAINTENANCE.

After a snowfall of three inches (3") or more has occurred within a twenty-four (24) hour period a snow emergency shall exist within the Municipality. Four (4) hours after commencement of a snow emergency all vehicles shall begin parking on the even numbered side of the street on even numbered days and the odd numbered side of the street on odd numbered days; provided, on those streets designated as emergency snow routs, parking on both sides of the street shall be prohibited immediately upon commencement of a snow emergency. These parking restrictions shall be in force until the snow is removed.

The Municipal Police may order any street or alley, or portion thereof, vacated for weather emergencies or street maintenance. Notice shall be given by personally notifying the owner or operator of a vehicle parked on such street or alley, or by posting appropriate signs along such

streets or alleys. Such signs shall be posted not less than four (4) hours prior to the time that the vacation order is to be effective. Any person parking a vehicle in violation of this section shall be subject to the penalties provided in this Chapter, and such vehicle may be removed and parked, under the supervision of the Municipal Police, to a suitable nearby public storage or garage until the owner or other person lawfully entitled to the possession of such vehicle shall have paid the reasonable cost of such removal and storage. Any such towing or storage fee shall become a security interest in the vehicle prior to all other claims. *(Ref. 17-557 RS Neb.) (Amended by Ord. No. 411, 12/21/76)*

§ 5-513 PARKING; VEHICLES.

The provisions of this Article regulating the movement, parking, and standing of vehicles shall not apply authorized emergency vehicles, as defined in this Article, while the driver of such vehicle is operating the same in an emergency in the necessary performance of public duties. *(Ref. 39-608 RS Neb.)*

§ 5-514 PARKING; VIOLATIONS BUREAU.

There is hereby created the Violations Bureau within the powers and duties of the office of Municipal Clerk. A copy of each Municipal citation issued for non-moving traffic violations shall be deposited with the Municipal Clerk, whose duty it shall be to collect all fines and to maintain appropriate and accurate records of all such fines paid. Fines shall be payable in person or by mail to the office of the Clerk. Such fines shall be in the amount of ten dollars (\$10.00) for each violation if paid within five (5) days from the date of issuance. Should any fine not be paid within the five (5)-day period the fine amount due will increase to fifteen dollars (\$15.00). If the fifteen dollar (\$15.00) fine is not paid within the next fifteen (15) days the Clerk shall send to the owner of the motor vehicle to which the citation was issued a written notice informing them of the violation and warning that they will be held responsible for the fine. This notice will also inform the owner of the vehicle that if the fifteen dollar (\$15.00) fine is not paid within fifteen (15) days the Clerk will forward the matter to the Chief of Police requesting that a complaint and warrant be issued. All money collected by the Municipal Clerk under this section shall be transferred to the Milford Public School District at the end of each month. *(Ref. 18-1729 RS Neb.) (Amended by Ord. Nos. 402, 4/20/76; 596, 6/2/92; 669, 8/5/97868, 12/4/12)*

§ 5-515 PARKING; RESERVED FOR HANDICAPPED.

The Governing Body and any person in lawful possession of any off-street parking facility may designate parking spaces for the exclusive use of disabled persons whose vehicles display the distinguishing license plates issued to such individuals pursuant to section 60-3,113 RS Neb.,

such other handicapped persons, as certified by the Governing Body, whose vehicles display the identification as determined by the Department of Motor Vehicles, and such other motor vehicles, as certified by the Governing Body, which display such identification. All such permits shall be displayed in the operator's area in a conspicuous location upon the vehicle's dashboard or its equivalent. Whenever the Governing Body so designates a parking space, it shall be indicated by a sign which is in conformance with the nineteenth (19th) edition of the Federal Highway Administration Manual on Uniform Traffic Control Devices for Streets and Highways. In addition to such sign the space may also be indicated by blue paint on the curb or edge of the paved portion of the street adjacent to the space.

The Municipal Clerk shall take an application from physically handicapped persons or their parent, legal guardian, or foster parent for a permit which will entitle the holder thereof or a person driving a motor vehicle for the purpose of transporting such holder to park in those spaces provided for by this section. For the purpose of this section, physically handicapped persons shall mean visually handicapped persons and those permanently physically handicapped persons who have definite walking problems to such an extent that walking is impractical, impossible, extremely painful, or generally detrimental to one's health, including those persons who have respiratory problems which incapacitate their walking, and disabled persons as defined in section 60-311.14 RS Neb. Visually handicapped persons shall mean those persons using the white cane or guide dog. Persons applying for a permit shall complete such forms as are provided to the Municipal Clerk by the Department of Motor Vehicles and shall demonstrate to the satisfaction of the Municipal Clerk that he or she is handicapped. The Municipal Clerk may require medical certificates and proof of a handicapped condition. Such application shall be forwarded to the Department of Motor Vehicles.

The Municipal Clerk may take an application from any person for a motor vehicle permit which will entitle the holder thereof or a person driving the motor vehicle for the purpose of transporting physically handicapped persons to park in those spaces provided for by this section, if the motor vehicle is used primarily for the transportation of physically handicapped person. Such parking permit shall be used only when the motor vehicle for which it was issued is being used for the transportation of physically handicapped persons. Persons applying for permits pursuant to this section, shall apply for a permit for each motor vehicle used for the transportation of physically handicapped persons and shall complete such forms as are provided to the Municipal Clerk by the Department of Motor Vehicles and shall demonstrate to the Clerk that each such motor vehicle is used primarily for the transportation of physically handicapped persons. Such applications shall be forwarded to the Department of Motor Vehicles.

All permits authorized under this section shall be issued for a period ending January One (1) of the fourth (4th) year following the date of issuance. A permit fee of three dollars (\$3.00) shall be charged for each permit, two dollars and fifty cents of (\$2.50) which shall be retained by the

Municipal Clerk and fifty cents (50¢) which shall be forwarded to the Department of Motor Vehicles.

Permits issued under this section shall not be transferable, and shall be used only by the party to whom issued or for the motor vehicle for which issued and only for the purpose for which it is issued. Use by any other person, for any other motor vehicle, or for any other purpose shall be cause for suspension of such permit for a period of six (6) months. At the expiration of such period, a suspended permit may be renewed upon the payment of the permit fee. (*Ref. 18-1736 through 18-1742 RS Neb.*) (*Amended by Ord. Nos. 464, 11/20/79; 518, 10/2/84; 567, 12/5/89; 613 & 614, 5/4/93*)

§ 5-515.01 PARKING; HANDICAPPED OR DISABLED PERSONS; PERMIT CONTENTS, DUPLICATE PERMITS.

The permit to be issued by the Municipal Clerk shall be a card four inches (4") by four inches (4") in size constructed so that it may be easily and conspicuously displayed from a vehicle's rearview mirror and on which is prominently displayed the date of expiration, the internationally accepted wheelchair symbol, which symbol is a representation of a person seated in a wheelchair surrounded by a boarder six (6) units wide by seven (7) units high, and an identifying number on the front of the card. The color of the permit issued to handicapped or disabled persons or for the transportation of such persons shall be white on blue. The permit issued to temporarily handicapped or disabled persons or for the transportation of such persons shall be a special distinguishing color as determined by the Department of Motor Vehicles. The name, address, phone number, date of birth, and age of the handicapped or disabled or temporarily handicapped or disabled person to whom issued shall appear on the reverse side. The name, address, and phone number of the party to whom issued and the license plate number of the motor vehicle for which the permit is issued shall appear on the reverse side of the permit if such permit is issued for a motor vehicle used primarily for the transportation of handicapped or disabled or temporarily handicapped or disabled persons.

No permit shall be issued to any person or for any motor vehicle if any valid parking permit has been issued to such person or for such motor vehicle if such permit has been suspended pursuant to section 5-515.

A duplicate permit may be provided by the Municipal Clerk without cost if the original permit is destroyed, lost, or stolen. Such duplicate permit shall be issued in the same manner as the original permit and shall be valid for the remainder of the period for which the original permit was issued. (*Ref. 18-1739 RS Neb.*) (*Ord. No. 614, 5/4/93*)

§ 5-515.02 PARKING; HANDICAPPED OR DISABLED PERSONS; REMOVAL OF

UNAUTHORIZED VEHICLE; PENALTY.

The owner or person in lawful possession of an offstreet parking facility, after notifying the police or sheriff's department, and the Municipality providing onstreet parking or owning, operating, or providing an offstreet parking facility, may cause the removal, from a stall or space designated exclusively for handicapped or disabled persons or temporarily handicapped or disabled persons, of any vehicles not displaying proper identification or the distinguishing license plates specified in this Article if there is posted immediately adjacent to and visible from such stall or space a sign which clearly and conspicuously state the area so designated as a tow-in zone.

Anyone parking in any onstreet parking space which has been designated exclusively for handicapped or disabled persons or temporarily handicapped or disabled persons or motor vehicles for the transportation of such persons, or in any so exclusively designated parking space in any offstreet parking facility, without properly displaying the proper identification or when the handicapped or disabled person to whom or for whom the license plate or permit is issued is not being transported shall be guilty of a traffic infraction as defined in section 39-602, RS Neb., and shall be subject to the penalties and procedures set forth in section 39-6,112, RS Neb. If the identity of the person who parked the vehicle in violation of the section cannot be readily determined, the owner or person in whose name the vehicle is registered shall be held prima facie responsible for such violation and shall be guilty and subject to the penalties and procedures described in this section.

In the case of a privately owned offstreet parking facility, the owner or person in lawful possession of such facility shall inform the Municipality of a violation of this section prior to taking any action pursuant to this section. (*Ref. 18-1737 RS Neb.*) (*Ord. No. 613, 5/4/93*)

§ 5-515.03 PARKING; HANDICAPPED OR DISABLED PERSONS; DESIGNATION OF SPACES.

The following parking spaces are hereby designated for handicapped persons, as provided in sections 5-503 and 5-515 of this Code and appropriate signs shall be erected at such locations.

- (1) First parking space south of First Street on the west side of "B" Street.

- (2) First one and one half (1½) parking spaces east of the Milford Senior Center Drive on

the south side of First Street.

(3) First parking space east of "B" Street, on the north side of First Street.

(4) First parking space east of "B" Street, on the south side of First Street.

(5) First parking space south of Second Street, on the west side of "C" Street.

(6) First parking space east of "C" Street, on the south side of Second Street.

(7) The second one and one-half (1½) parking spaces located in the Swimming Pool Parking Lot, south of Fairway Drive, along the east curb.

(8) Three (3) parking stalls in the 600 block of State Street, on the west side of State Street. (*Ord. No. 704, 6/6/00*) (*Amended by Ord. Nos. 708, 10/3/00; 764, 6/7/05*)

§ 5-516 PARKING; REMOVAL OF ILLEGALLY PARKED VEHICLES.

Whenever any Police Officer shall find a vehicle standing upon a street or alley in violation of any of the provisions of the Article, such individual may remove or have such vehicle removed, or require the driver or other person in charge of the vehicle to move such vehicle, to a position off the roadway of such street or alley or from such street or alley.

The owner or other person lawfully entitled to the possession of any vehicle towed or stored shall be charged with the reasonable cost of towing and storage fees. Any such towing or storage fee 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 such vehicle until such charges are paid. The lien provided for in this section shall not apply to the contents of any vehicles. (*Ref. 39-671, 39-697 RS Neb.*) (*Ord. No. 1988-561, 10/4/88*)

§ 5-517 PARKING; LOADING OR UNLOADING ZONES.

It shall be unlawful for the driver of any vehicle to stop, park or stand such vehicle in any designated loading or unloading zone for a period of time longer than is necessary for the expeditious loading or unloading of merchandise or materials, and in no event shall the operator of a vehicle into or from which merchandise or material is being loaded or unloaded, stop, park or stand such vehicle in any loading zone for a period longer than thirty (30) minutes, nor shall the operator of any vehicle which is loading or unloading passengers, stop, park or stand such

vehicle in any loading zone for a period of time longer than five (5) minutes. Designated loading or unloading zones will be plainly marked with signs which are in conformity with the 1988 edition of the Federal Highway Administration Manual on Uniform Traffic Control Devices for Streets and Highways.

(Ord. No. 721, 1/7/02)

§ 5-518 PARKING; TRUCKS.

It shall be unlawful for the operator of any truck other than a pickup or passenger size panel truck to park such vehicle on any street within the corporate limits of the Municipality, except in the following designated areas:

- (1) Park Avenue 200 block along the south curb area;
- (2) Walnut Avenue between First Street and Park Avenue;
- (3) "A" Street between First Street and Park Avenue;
- (4) At such other locations designated by resolution of the Governing Body.

Provided, such prohibited vehicles may park for purposes of loading or unloading after obtaining permission from the Municipal Police. Vehicles may stop or stand for a period of time not to exceed what is reasonably necessary to load or unload, but in no case longer than fifteen (15) minutes during the hours between 9:00 a.m. and 5:00 p.m., unless the operator of such truck has obtained permission from the Municipal Police to stop for a longer period of time. It shall be unlawful for the operator of any truck, regardless of length to park said vehicle within a street intersection, on a crosswalk, in front of a private driveway or on a sidewalk. The Governing Body by resolution may designate other truck-parking areas, and if such parking areas are provided, truck operators to use such parking areas for parking purposes. *(Ref. 60-680 RS Neb.) (Ord. No. 720, 12/4/01) (Amended by Ord. No. 752, 2/3/04)*

§ 5-519 PARKING; DRIVEWAYS.

It shall be unlawful for the owner or occupant of any residential property within the City, or their guests or invitees, to park any motor vehicle on said residential property in a location other than a paved, graveled, or rocked driveway located on said residential property. It shall not be a violation of this section if the motor vehicle is parked in a location other than a paved, graveled, or rocked driveway but is in the process of being washed or said vehicle is in the process of

being loaded or unloaded or is parked in the backyard of the property. (*Ord. No. 776, 2/7/06*)