

## HAILEY ORDINANCE NO. 1111

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING SECTION 10.08.040 OF THE HAILEY MUNICIPAL CODE, TO ALLOW FIFTEEN MINUTE PARKING SPACES, TO REQUIRE PARKING WITHIN DESIGNATED PARKING SPACES AND TO PROHIBIT PARKING OVER SIDEWALKS AND BICYCLE PATHS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the City of Hailey has adopted parking regulations for public rights-of-way and public parking lots;

WHEREAS, to provide economic incentives to the Hailey downtown core, the City of Hailey wishes to create short-term parking for businesses within the downtown core; and

WHEREAS, the City of Hailey wishes to limit parking within designated parking spaces and to prohibit parking on sidewalks and bicycle paths.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

**Section 1.** Section 10.08.040 of the Hailey Municipal Code is amended by the addition of the underlined language and by the deletion of the stricken language, as follows:

10.08.040 Parking Regulations.

A. General. It is lawful for any person to park a motorized vehicle or non-motorized vehicle, trailer or camper in any Right-of-Way, except as otherwise provided in this Chapter 10.08 or other provision of the Hailey Municipal Code.

B. Year Round Day Time Restrictions—Two Hour Spaces and Fifteen Minute Spaces. ~~It is unlawful for any person to park a motorized vehicle or non-motorized vehicle, trailer or camper on Main Street between McKercher Boulevard and Maple Street, on Broadford Road from Cedar Street to the City of Hailey city limits or on Bullion and Croy Streets between First Avenue and River Street for any period exceeding two hours between the hours of 9:00 a.m. and 6:00 p.m. A maximum of two (2) fifteen minute parking spaces shall be allowed on any block on Bullion and Croy Streets between First Avenue and River Street and on River Street and First Avenue between Walnut and Carbonate Streets. Any approved fifteen minute parking space shall allow continuous parking by a motorized vehicle or non-motorized vehicle, trailer or camper for a maximum of fifteen minutes. The city shall install signs upon Main Street, Broadford Road, Bullion Street, and Croy Street, First Avenue and~~

River Street within or adjacent to the restricted parking zones showing the hours of limited parking.

1. A fifteen minute parking space may be requested in writing by an adjacent property owner or tenant or by the City of Hailey. The written request shall detail the number and location of the fifteen minute parking space(s) and shall address the criteria set forth herein. Before any fifteen minute parking space is permitted, the City Council shall evaluate the following criteria and make findings during a public hearing that a) the adjacent business will benefit from fifteen minute parking space and b) the fifteen minute parking space will not be materially detrimental to adjacent businesses. At least fifteen days prior to the hearing, the applicant shall cause a notice of the public hearing to be mailed to all the owners of the properties on the block. The notice shall describe the time and place of the hearing, describe the location of the proposed fifteen minute parking spaces and .inform the owner that the owner must file a a written objection before the scheduled hearing if the owner objects to the proposal for a fifteen minute parking space. The request for a fifteen minute parking space shall be placed on the City Council's consent agenda, but shall be removed from the consent agenda and considered a public hearing if a written objection is filed before the scheduled hearing.

C. Year Round Night Time Restrictions. It is unlawful for any person to park a motorized vehicle or non-motorized vehicle, trailer or camper on Main Street between McKercher Boulevard and Maple Street between the hours of two a.m. to six a.m. The city shall install signs upon Main Street within or adjacent to the restricted parking zone showing the hours of limited parking.

D. Winter Restrictions. For any Right-of-Way with a paved street abutting an improved curb and gutter, it is unlawful for any person to park a motorized vehicle or non-motorized vehicle, trailer or camper within the Right-of-Way between the hours of 12:00 a.m. (midnight) to 7:00 a.m., each day from November 1<sup>st</sup> of each year to May 1<sup>st</sup> of the following year. For any Right-of-Way without a paved street abutting an improved curb and gutter, it is unlawful for any person to park a motorized vehicle or non-motorized vehicle, trailer or camper within six feet (6') of the edge of asphalt constructed by or on behalf of the City of Hailey within the Right-of-Way between the hours of 12:00 a.m. (midnight) to 7:00 a.m., each day from November 1<sup>st</sup> of each year to May 1<sup>st</sup> of the following year. The city shall install signs at the vehicular entrances to the City of Hailey showing the hours of limited parking. For all other portions of Rights-of-Way, it is unlawful for any person to park a motorized vehicle or non-motorized vehicle, trailer or camper on a Right-of-Way in such a manner as to interfere with the safe and proper plowing or removal of snow on the Right-of-Way.

E. City Parking Lots Restrictions. It is unlawful for any person to park a motorized vehicle or non-motorized vehicle, trailer or camper upon property owned by the City of Hailey, except where designated as a city-wide parking area.

F. Access Restrictions. It is unlawful for any person to park a motorized vehicle or non-motorized vehicle, trailer or camper on in or across any private driveway,

or in those areas prohibited by the Mayor or City Council, including areas in front of gasoline pumps or driveways to garages or service stations.

G. Fire Hydrant Restrictions. It is unlawful for any person to park in a Right-of-Way a motorized vehicle or non-motorized vehicle, trailer or camper within twenty feet (20') of any fire hydrant, or within any area marked or posted as a no parking zone by a fire hydrant.

H. Type of Parking Restrictions. It is unlawful for any person to park a motorized vehicle or non-motorized vehicle, trailer or camper on any portion of Main Street, unless the parking is at an angle parallel to the curb so that the passenger side of the vehicle, trailer or camper is not more than one foot (1') from the curb and so that the vehicle, trailer or camper is within a parking lane or space marked on the street or curb by or under the authority of the Mayor and City Council. ~~It is unlawful for any person to park a motorized vehicle or non-motorized vehicle, trailer or camper within a Right-of-Way other than Main Street, unless the parking shall be parked parallel or at an oblique angle, in accordance with any signs posted under the authority of the Mayor and City Council.~~

I. Parking Line Restrictions. It is unlawful for any person to park a motorized vehicle or non-motorized vehicle, trailer or camper over any parking lines within a Right-of-Way where such parking lines are marked ~~have been established by the Mayor or City Council.~~

J. Designated Parking Spaces. For any Right-of-Way with a paved street abutting an improved curb and gutter, it is unlawful for any person to park a motorized vehicle or non-motorized vehicle, trailer or camper within the Right-of-Way except within marked parking spaces.

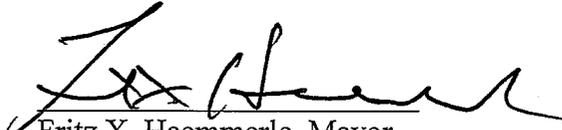
K. Sidewalk and Bicycle Path Restrictions. It is unlawful for any person to park a motorized vehicle or non-motorized vehicle, trailer or camper in or over any portion of a sidewalk or over any portion of a marked bicycle path., or to obstruct any portion of a sidewalk or bicycle path without the express permission of the city.

**Section 2. Severability Clause.** If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

**Section 3. Repealer Clause.** All Ordinances or parts thereof in conflict herewith are hereby repealed and rescinded.

**Section 4. Effective Date.** This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

**PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL** and approved  
by the Mayor this 15<sup>th</sup> day of October, 2012.

  
Fritz X. Haemmerle, Mayor

ATTEST:

  
Mary Cone, City Clerk

Publish: Idaho Mountain Express Oct. 31, 2012

