

ORDINANCE NO. 111

AN ORDINANCE AMENDING ORDINANCE NO. 102 CONCERNING THE PARKING OF VEHICLES UPON YARDS

Section 1. Ordinance No. 102-4-3 is amended to read as follows:

4-3: GENERAL PARKING RESTRICTIONS

A. No person shall park a vehicle upon public property, including parkings, without the consent of the City Council.

B. Except as provided in subsection 4-3C of this Chapter, no person shall park, be permitted to park, or be allowed to permit the parking of any vehicle upon a yard. "Yard" as used herein is defined by Ordinance No. 79, which concerns zoning; provided, however, that any lot upon which no building exists constitutes a "yard" in its entirety.

C. With the consent of the owner or persons in possession or the agents of either, vehicles may be parked upon a yard any day on which The University of Iowa plays football games in Kinnick Stadium. On other days, vehicles may not be parked upon any yard unless the vehicle is a service vehicle parked with the consent of the owner or persons in possession or the agents of either. "Service vehicle" as used herein means a vehicle used by a business or person engaged in a business but only while the business or person is actually performing services at the address where the yard is situated.

D. Any vehicle that is parked upon private property without the consent of the owner or persons in possession or the agents of either may be ticketed and/or towed pursuant to the following procedure: The Police Department is hereby authorized to act as an agent of any owner or other lawful possessor of real property and to tow or cause to be towed, pursuant to the Code of Iowa, as amended, any motor vehicle that has been parked or placed upon real property without the consent of the owner or persons in possession or the agents of either. However, prior to the towing of any motor vehicle, the owner, lawful possessor or agents thereof shall, in writing, authorize the police to act as agent therefor and shall further agree to

notify the Johnson County Sheriff as required by the Code of Iowa, as amended, and shall also agree to release, defend, indemnify and hold harmless the City, its officers, employees and agents from any damages, claim of damages or liability resulting from such towing. The owner or lawful possessor of such motor vehicle may reclaim such vehicle pursuant to the Code of Iowa, as amended.

E. Any person who violates subsection 4-3B of this Section commits a simple misdemeanor and may be punished as provided in Section 10-2 of this Chapter.

F. Subsection 4-3B is redesignated 4-3F

G. Subsection 4-3C is redesignated 4-3G.

H. Subsection 4-3D is redesignated 4-3H.

I. Subsection 4-3E is redesignated 4-3I.

J. Subsection 4-3F is redesignated 4-3J.

K. Subsection 4-3G is redesignated 4-3K.

L. Subsection 4-3H is redesignated 4-3L.

Section 2. EFFECTIVE DATE. This ordinance shall be in full force and effect upon its passage and publication as provided by law.

Adopted by the University Heights City Council this 9th day of November, 1999, and approved this 9th day of November, 1999.