

ADOPTING ORDINANCE NO. 3-3-46
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF
SPILLVILLE, IOWA, BY AMENDING PROVISIONS PERTAINING TO PARKING ON CITY
STREETS

Be It Enacted by the City Council of the City of Spillville, Iowa:
That the Code of ordinances, City of Spillville, Iowa,

is hereby amended by adding a section, to be numbered 3-3-46, which said section reads as follows:

3-3-46 PARKING OF CERTAIN MOTOR TRUCKS, CAMPERS, AND ROLLOFFS LIMITED.
(Code of Iowa, Sec. 321.236[1])

1. No person shall park a motor truck having a freight capacity greater than 7500 pounds, or any trailer, semi-trailer, tractor, road tractor or truck tractor unit, at any time upon any portion of any street except for such reasonable time as may be necessary to load or unload passengers, freight or other merchandise.
2. No person shall park a motorized or un-motorized camper or an accessory trailer, including but not limited to: tool trailers, boat trailers, jet ski trailers, bike trailers, snowmobile trailers or such other device designed or intended to be pulled behind a vehicle, at any time upon any portion of any street except for such reasonable time as may be necessary prior to or immediately subsequent to its use. Such parking shall not exceed 18 continuous hours, nor shall such parking be permitted for more than 36 hours in any five-day period at any location within the corporate limits of the city.
3. No person shall place a “roll-off”, dumpster, or other trash, waste, or storage receptacle or device exceeding one cubic yard or 200 pounds in the traveled portion of a street without requesting and receiving a permit from City Maintenance pursuant to subsection 4 below.

4. Exceptions:

(a) A bus of 7500 pounds or more may be parked in any parking zone so established by City Council; and

(b) Said regulations shall not apply to any motor vehicle owned by a public utility, moving company, rental company or similar company while actually being used to service a residence, or to any motor vehicle or tool trailer used in conjunction with an authorized construction site during a period that construction is actually taking place including non-working hours and holidays.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

On the 5TH day of December at a regular meeting of the Spillville City Council, Spillville, Iowa, Councilperson Schmitt introduced Ordinance No. 3-3-46, and moved that it be given its first reading. The motion was seconded by Councilperson Taylor.

Ayes: Backes, Kelsay, Taylor, Schmitt and Wermers

Nays: None

Absent: None

5 members of the Council being present and having voted Aye, Mayor Straube declared the motion passed, and Ordinance No. 3-3-46 was read the first time and discussed and placed on record.

On the 2nd day of January at a regular meeting of the Spillville City Council, Spillville, Iowa, Councilperson _Taylor_ introduced Ordinance No. 3-3-46, and moved that it be given its second reading. The motion was seconded by Councilperson ____ Schmitt __.

Ayes: Backes, Kelsay, Taylor and Schmitt

Nays: None

Absent: None

___4___ members of the council being present and having voted "Aye", Mayor Wermers declared the motion carried.

Motion by _Taylor__ and seconded by __Backes__ to waive the third reading.

Ayes: Backes, Kelsay, Taylor and Schmitt

Nays: None

Absent: None

Motion by Councilperson ___Taylor__ and seconded by Councilperson _____Backes_____ that Ordinance No.3-3-46 be placed upon its final passage and adopted.

Ayes: Backes, Kelsay, Taylor and Schmitt

Nays: None

Absent: None

___4___ members of the council being present and having voted "Aye", Mayor Wermers declared the motion carried, and the Ordinance was passed and adopted.

Whereupon the Mayor declared Ordinance No.3-3-46 adopted and signified his approval of same by fixing his signature thereto.

Passed by the council on the 2nd day of January, 2024 and approved by the Mayor on the 2nd day of January 2024.

Paul Wermers, Mayor

ATTEST:

Nikki Wagner, City Clerk

