

## CHAPTER 72: PARKING REGULATIONS

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### **GENERAL PROVISIONS**

#### **§ 72.01 REGULATION OR PROHIBITION AUTHORIZED.**

(A) The Board of Trustees with respect to highways under its jurisdiction and within the reasonable exercise of the police power may regulate or prohibit stopping, standing, or parking.

(Neb. RS 60-680)

(B) If the Board regulates or prohibits stopping, standing, or parking all vehicles or a particular kind or class of vehicles on a highway or a portion of a highway, no person shall

stop, stand, or park a vehicle subject to such regulation or prohibition on the highway or portion thereof longer than a period of time necessary to load and unload freight or passengers.

Penalty, see § 70.99

### **§ 72.02 ROADWAY OUTSIDE BUSINESS OR RESIDENTIAL DISTRICT.**

(A) No person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon a roadway outside of a business or residential district when it is practicable to stop, park, or leave such vehicle off such part of a highway, but in any event an unobstructed width of the roadway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicle shall be available from a distance of 200 feet in each direction upon such highway. Such parking, stopping, or standing shall in no event exceed 24 hours.

(B) No person shall stop, park, or leave standing any vehicle on a freeway except in areas designated or unless so directed by a peace officer, except that when a vehicle is disabled or inoperable or the driver of the vehicle is ill or incapacitated, such vehicle shall be permitted to park, stop, or stand on the shoulder facing in the direction of travel with all wheels and projecting parts of such vehicle completely clear of the traveled lanes, but in no event shall such parking, standing, or stopping upon the shoulder of a freeway exceed 12 hours.

(C) No person, except law enforcement, fire department, emergency management, public or private ambulance, or authorized Department of Roads or local authority personnel, shall loiter or stand or park any vehicle upon any bridge, highway, or structure which is located above or below or crosses over or under the roadway of any highway or approach or exit road thereto.

(D) Whenever a vehicle is disabled or inoperable in a roadway or for any reason obstructs the regular flow of traffic for reasons other than an accident, the driver shall move or cause the vehicle to be moved as soon as practical so as to not obstruct the regular flow of traffic.

(E) This section does not apply to the driver of any vehicle which is disabled while on the roadway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position until such time as it can be removed pursuant to division (D) of this section.

(Neb. RS 60-6,164) Penalty, see § 70.99

**§ 72.03 GENERAL PROHIBITIONS; EXCEPTIONS.**

(A) Except when necessary to avoid conflict with other traffic or when in compliance with law or the directions of a peace officer or traffic control device, no person shall:

- (1) Stop, stand, or park any vehicle:
  - (a) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
  - (b) On a sidewalk;
  - (c) Within an intersection;
  - (d) On a crosswalk;
  - (e) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone unless the Board of Trustees indicates a different length by signs or markings;
  - (f) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
  - (g) Upon any bridge or other elevated structure over a highway or within a highway tunnel;
  - (h) On any railroad track; or
  - (i) At any place where official signs prohibit stopping.
- (2) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
  - (a) In front of a public or private driveway;
  - (b) Within 15 feet of a fire hydrant;
  - (c) Within 20 feet of a crosswalk at an intersection;
  - (d) Within 30 feet of any flashing signal, stop sign, yield sign, or other traffic control device located at the side of a roadway;
  - (e) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of such entrance when properly signposted;

(f) At any place where official signs prohibit standing; or

(3) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:

(a) Within 50 feet of the nearest rail of a railroad crossing; or

(b) At any place where official signs prohibit parking.

(B) No person shall move a vehicle not lawfully under his or her control into any such prohibited area or away from a curb such a distance as shall be unlawful.  
(Neb. RS 60-6,166) Penalty, see § 70.99

#### **§ 72.04 OBSTRUCTING STREET, INTERSECTION, OR ENTRANCE.**

No person shall, except in case of an accident or emergency, stop any vehicle in any location where stopping will obstruct any street, intersection, or entrance to an alley or public or private drive.  
Penalty, see § 70.99

#### **§ 72.05 INTERSECTIONS.**

Except when necessary to avoid conflict with other traffic or when in compliance with law or the directions of a peace officer or traffic control device, no person shall park a vehicle or leave a vehicle standing for any purpose, except momentarily to load or discharge passengers, within 25 feet of the intersection of curb lines, or if none, then within 15 feet of the intersection of property lines, or where the curb lines are painted red or another color specified by the Board of Trustees to indicate such prohibition.  
Penalty, see § 70.99

#### **§ 72.06 ALLEYS.**

(A) No person shall park a vehicle with any portion thereof projecting into any alley entrance.

(B) No person shall park a vehicle in any alley, except for the purpose of loading or unloading during the time necessary to load or unload, which shall not exceed the maximum limit of ½ hour. Every vehicle while loading or unloading in an alley shall be parked in such manner as will cause the least obstruction possible to traffic in the alley.  
Penalty, see § 70.99

**§ 72.07 TRUCK PARKING, LOADING, AND UNLOADING.** Amended Ord 219

(A) It shall be unlawful for the operator of any truck with an overall length of more than 20 feet to park or stop such vehicle on a street within the business district except to load or unload when loading or unloading in an alley is impossible and then only for the period of time reasonably necessary to load or unload.

(B) If the Board of Trustees provides truck parking areas adjoining or adjacent to the business district, all truck operators shall use such parking areas for all parking purposes.

(C) Except in an area provided for by the Board by resolution, it shall be unlawful for the operator of any truck, including an oil tanker, to park or stop for any period of time within the limits of any street outside the business district except for the purpose of loading or unloading the cargo thereof in the ordinary course of business.

Penalty, see § 70.99

**§ 72.08 DISPLAY OR REPAIR OF VEHICLE.**

It shall be unlawful for any person to park upon any highway or public place within the village any vehicle displayed for sale. Except when necessary due to a breakdown or other emergency, no person shall adjust or repair, or race the motor of, any motor vehicle or motorcycle while standing on the highways of the village. No person or employee connected with a garage or repair shop shall use sidewalks or highways in the vicinity of the garage or shop for the purpose of working on vehicles of any description.

Penalty, see § 70.99

**§ 72.09 CURRENT REGISTRATION.**

It shall be unlawful to park or place on the highways or other public property any vehicle required to be registered by the Motor Vehicle Registration Act that is not registered in accordance with the Act.

Penalty, see § 70.99

**Statutory reference:**

*Motor Vehicle Registration Act, see Neb. RS 60-301*

**§ 72.10 TIME LIMITS.**

(A) It shall be unlawful to park a vehicle on a public street for over 24 consecutive hours except where a different maximum time limit is posted.

(B) If the Board of Trustees adopts a resolution entirely prohibiting, or fixing a time limit for, the parking and stopping of vehicles on any highway, it is unlawful to park or stop

any vehicle in such highway for a period of time longer than fixed in the resolution.  
Penalty, see § 70.99

#### **§ 72.11 SNOW; WEATHER EMERGENCIES; HIGHWAY MAINTENANCE.**

(A) Unless the Board of Trustees provides otherwise, it is unlawful to park or stand any vehicle on any highway in the village at any time within 12 hours after a snowfall of 3 inches or more has occurred within a 24 hour period if the snow has not been removed within that time.

(B) The Chairperson of the Board of Trustees, the village police, or any other designated person may order any highway or portion thereof vacated for weather emergencies or highway maintenance. Notice shall be given by personally notifying the owner or operator of a vehicle parked on such highway or by posting appropriate signs along the highway not less than 4 hours prior to the time that the vacation order is to be effective. It is unlawful to park a vehicle on a highway or portion thereof vacated in accordance with this division (B).

(C) A vehicle parked in violation of this section may be removed and parked, under the supervision of the village police, to a suitable nearby location without further notice to the owner or operator of such vehicle.

Penalty, see § 70.99

#### **§ 72.12 PARALLEL, ANGLE, AND CENTER PARKING.**

(A) Except as otherwise provided in this section, any vehicle stopped or parked upon a 2-way roadway where parking is permitted shall be so stopped or parked with the right-hand wheels parallel to and within 12 inches of the right-hand curb or edge of such roadway. No vehicle shall be parked upon a roadway when there is a shoulder adjacent to the roadway which is available for parking.

(B) Except when otherwise provided by the Board of Trustees, every vehicle stopped or parked upon a 1-way roadway shall be so stopped or parked parallel to the curb or edge of such roadway, in the direction of authorized traffic movement, with its right-hand wheels within 12 inches of the right-hand curb or edge of the roadway or its left-hand wheels within 12 inches of the left-hand curb or edge of such roadway.

(C) The Board of Trustees may permit angle or center parking on any roadway, except that angle or center parking shall not be permitted on any federal-aid highway or on any part of the state highway system unless the Director-State Engineer has determined that such roadway is of sufficient width to permit angle or center parking without interfering with the free movement of traffic.

(D) The Board of Trustees may prohibit or restrict stopping, standing, or parking on highways under its jurisdiction and erect and maintain proper and adequate signs thereon. No

person shall stop, stand, or park any vehicle in violation of the restrictions stated on such signs.

(Neb. RS 60-6,167)

(E) Where stalls are designated either on the curb or pavement, vehicles shall be parked within those stalls.

(F) Vehicles must not be parked at any curb in such a position as to prevent another vehicle already parked at the curb from moving away.

Penalty, see § 70.99

#### **§ 72.13 BACKING FREIGHT VEHICLE TO CURB.**

The operator of a vehicle of an over-all length of less than 20 feet, including load, while loading or unloading freight may back the vehicle to the curb but shall occupy as little of the street as possible.

Penalty, see § 70.99

#### **§ 72.14 UNATTENDED MOTOR VEHICLE.**

No person having control or charge of a motor vehicle shall allow such vehicle to stand unattended on a highway without first stopping the motor of such vehicle, locking the ignition, removing the key from the ignition, and effectively setting the brakes thereon and, when standing upon any roadway, turning the front wheels of such vehicle to the curb or side of such roadway.

(Neb. RS 60-6,168) Penalty, see § 70.99

#### **§ 72.15 PAINTING OF CURBS.**

(A) The curb space within 15 feet in either direction of a fire hydrant shall be painted red, or another color specified by the Board of Trustees, to indicate that parking is prohibited in such area.

(B) If the Board adopts a resolution regulating or prohibiting the parking or stopping of vehicles at the curb on highways in front of certain facilities or at certain locations, the curbs adjacent to any such facility or location shall be painted in such manner as directed by the Board to indicate such regulation or prohibition.

(C) It shall be the duty of the Board or its agent to cause the curb space to be painted and to keep the same painted as provided in this chapter or as specified by the Board. The marking or designating of portions of highways where the parking of vehicles is prohibited or limited shall be done only by the village through its proper officers, at the direction of the Board. No person shall paint the curb of any highway or in any manner set aside, or attempt

to prevent the parking of vehicles in, any highway or part thereof, except at such places where the parking of vehicles is prohibited by the provisions of this chapter or by a resolution adopted by the Board.

Penalty, see § 70.99

### ***ADMINISTRATION AND ENFORCEMENT***

#### **§ 72.50 TICKETS.**

All tickets issued for violations of nonmoving traffic regulations contained in this chapter shall, in addition to information normally stated on such tickets, carry the following information:

(A) The amount of the fine if paid within 30 days;

(B) The amount of the fine if not paid within 30 days;

(C) The location where payment may be made; and

(D) The fact that a complaint will be filed after 30 days if the fine is not paid in that time.

#### **§ 72.51 REMOVAL OF ILLEGALLY STOPPED VEHICLES; LIABILITY FOR COSTS.**

(A) Whenever any peace officer, or any authorized employee of a law enforcement agency who is employed by the village and specifically empowered by ordinance to act, finds a vehicle standing upon a highway in violation of any of the provisions of this chapter, the individual may remove the vehicle, 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 the highway or from the highway.

(B) 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 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 the vehicle until the charges are paid. The lien provided for in this section shall not apply to the contents of any vehicle.  
(Neb. RS 60-6,165)



**VILLAGE OF STRATTON**

**Ordinance No. 203**

AN ORDINANCE TO ESTABLISH TOWING AND STORAGE FEES OF VEHICLE, LIABILITY, LIEN AND NOTICE; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CHAIRPERSON AND THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF STRATTON:

**Section 1.** That a new Section 72.52 is added to the Municipal Code of the Village of Stratton, Nebraska as follows:

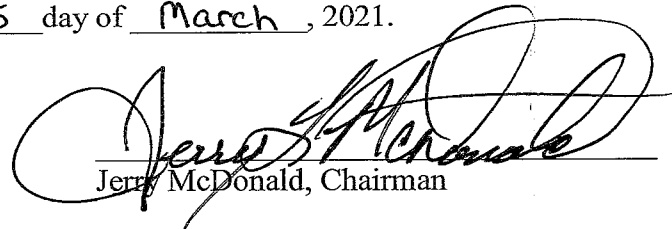
That the Village or any authorized employee finding a vehicle in violation of any provisions of Village Ordinance is authorized to remove the vehicle, have such vehicle removed, or require the driver or other person in charge of the vehicle to move such vehicle to a position off the roadway, right of way, or public property.

**Section 2.** That the owner or other person lawfully entitled to the possession of any vehicle towed or stored may be charged with the reasonable cost for the removal and storage fees, payable before the vehicle is released. Any such towing or storage fee shall be a lien upon the vehicle. The Village may retain possession of such vehicle until such charges are paid or, after ninety days, may dispose of such vehicle to satisfy the lien. The lien provided for in this section shall not apply to the contents of any vehicle.

**Section 3.** That all Ordinances or sections thereof passed and approved prior to the effective date of this Ordinance and in conflict with the provisions of this Ordinance, are hereby repealed.

**Section 4.** The Ordinance shall take effect and be in full force from and after its passage, approval and publication according to law.

Passed and approved this 15 day of March, 2021.

  
Jerry McDonald, Chairman

ATTEST:

  
Tara Hedrick, Village Clerk



ORDINANCE # 219

AN ORDINANCE AMENDING MUNICIPAL CODE CHAPTER 72, TITLE 7 OF THE MUNICIPAL CODE OF THE VILLAGE OF STRATTON, NEBRASKA TO CHANGE THE CODE RELATING TO TRUCK PARKING, LOADING, AND UNLOADING ;TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR PARTS THEREOF; TO PROVIDE FOR AN EFFECTIVE DATE.

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

Section 1. That Section 72.07 of the Stratton Municipal Code of Ordinances be amended to read as follows:

**72.07 TRUCK PARKING, LOADING, AND UNLOADING.**

It shall be unlawful to operate any vehicle on the streets of the village when the gross vehicle weight rating of such vehicle exceeds 20,000 pounds except for the purpose of loading or unloading the cargo thereof in the ordinary course of business when loading or unloading in an alley is impossible and then only for the period of time reasonably necessary to load or unload.

Penalty, see 70.99

SECTION 2. That any other ordinance or section or parts of ordinances passed and approved prior to the passage, approval and publication or posting of this Ordinance and in conflict with its provisions is hereby repealed.

SECTION 3. That this ordinance shall be in force and take effect from and after its passage, approval and publication or posting according to law.

PASSED AND APPROVED this 16 day of September, 2024.

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Shawn Hanes, Chairman

ATTEST:

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Tara Hedrick, CMC, Village Clerk

(SEAL)

