

**MIDWAY CITY
Municipal Code**

TITLE 8 STREETS AND SIDEWALKS

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CHAPTER 8.01 UTAH CRIMINAL AND TRAFFIC CODE ADOPTED

The class B and class C misdemeanor and infraction offenses of the Traffic Code of the Utah Code are adopted as the Traffic Code for Midway City. In the event present or future ordinances of Midway City specifically address local conditions and concerns regarding public offenses, said ordinances shall supersede, when permitted by law.

CHAPTER 8.02 UNLAWFUL PARKING

Section 8.02.010 Parking at Shoulder or Curb

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Section 8.02.060 Prohibited Parking

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Section 8.02.080 Parking or Blocking Streets or Highways

Section 8.02.010 Parking at Shoulder or Curb

No motor vehicle shall be parked with the left side of the vehicle next to the shoulder or curb, except on one way streets. It shall be unlawful to stand or park any motor vehicle in a street other than parallel with the shoulder or curb and with the two right wheels of the vehicle within twelve inches of the regularly established shoulder or curb line except on those streets which have been marked for angle parking; then vehicles shall be parked at the angle to the curb indicated by such marks.

Section 8.02.020 Vehicles for Sale

It shall be unlawful to park any vehicle within any street right-of-way for the purpose of displaying it for sale, or to park any vehicle from which merchandise is peddled on any street or within the right-of-way of such street.

Section 8.02.030 Repair of Vehicles

It shall be unlawful to repair any motor vehicle within the right-of-way of any road or street, except in designated areas or in cases of emergency.

Section 8.02.040 Loading Zone

When so posted, it shall be unlawful for the driver of a passenger vehicle to stand or park such vehicle for a period of time longer than is permitted by the posted sign for the loading or unloading of passenger, or for the driver to stand or park any freight carrying motor vehicle for a period of time longer than is necessary to load, unload and deliver materials in any place designated as a loading zone and marked as such.

Section 8.02.050 Alleys

No person shall park a motor vehicle within an alley in such manner or under such conditions as to leave less than ten feet of width of the roadway available for the free movement of vehicular traffic. No person shall stop, stand or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.

Section 8.02.060 Prohibited Parking

It shall be unlawful for any person to park or leave standing on any public right-of-way, road, street, alley, or municipal property any motor vehicle, motor home, boat or trailer for 48 or more consecutive hours, and any vehicle, motor home, boat or trailer so parked or left standing may be impounded or removed by the chief law enforcement office or his agent. For purposes of impoundment and removal, the chief law enforcement officer or his agent may, after making a reasonable effort to locate the owner, impound and remove any motor vehicle which has been unmoved for 48 consecutive hours. The cost of impoundment and removal shall be charged to the owner or any person who claims the impounded motor vehicle. Any motor vehicle, motor home, boat or trailer which are moved from a parking spot and then re-parked on the same street block within 24 hours from the time of said removal shall be deemed to have been continuously parked for the purposes of this section.

A. Trailer means a vehicle designed or used to carry its load entirely on its own structure or partly on another vehicle and is drawn by a motor vehicle.

B. Block means the section of the street where the vehicle was parked between two intersecting streets.

Section 8.02.070 Prohibited Parking Exception

It shall be unlawful for any person, except physicians or emergency calls or designated emergency vehicles when properly posted, to park any motor vehicle on any street or within the right-of-way of any street in violation of the posted restrictions.

Section 8.02.080 Parking or Blocking Streets or Highways

In addition to the parking provision contained in the Utah Traffic Code, as adopted by Midway City, it shall be unlawful for any person to:

A. Remain standing, lying or sitting on any street or highway in such a manner as to obstruct the free passage of vehicular or pedestrian traffic thereon.

B. Willfully remain standing, lying, or sitting on any street or highway in such manner for more than one minute after being requested to move by any law enforcement officer or representative of the City.

C. Willfully remain on such street or highway in such manner as to obstruct the free passage of any person or vehicle into or out of any property abutting upon the street or highway or any property having access to such street or highway.

CHAPTER 8.03 TRAFFIC REGULATIONS

Section 8.03.010 Avoiding Intersection Prohibited

Section 8.03.020 Restrictions on Truck Class Traffic on Identified Heavily Traveled Roads

Section 8.03.010 Avoiding Intersection Prohibited

It is unlawful for any person to drive a motor vehicle through a driveway, lot or similar area, whether vacant or not, for the purpose and intent of avoiding obedience to any traffic regulation or for the purpose and intent of harassing and annoying the owner or patrons thereon

Section 8.03.020 Restrictions on Truck Class Traffic on Identified Heavily Traveled Roads

Due to incompatibility of residential traffic with normal and safe movement of large trucks (over 26,000 lb GVW), semi tractor-trailer, and other similar classes of vehicular traffic, the following heavily traveled City streets shall, upon proper posting by the City, be closed to said classes of traffic, except for deliveries to residences or businesses located directly on the closed roadway or to a street location that cannot be reached by another route:

- A. 350 West (Pine Canyon Road) from 1050 North (Burgi Lane) intersection, heading south to the 200 North intersection.
- B. 100 West from the 1050 North (Burgi Lane) intersection south along the curve to the left which becomes 50 West; thence southerly along the curve to the left heading east, thence southerly along the curve to the right which becomes Center Street; thence south along Center Street to the Main Street intersection.
- C. 600 North from River Road heading west to the Center Street intersection.
- D. 400 West from 200 North heading south to the Main Street intersection.
- E. 100 South from the Center Street intersection heading south to the 300 West intersection.
- F. 250 West from the 100 South intersection heading south to the 500 South intersection.
- G. 100 East from the Main Street intersection heading south to the 185 South intersection.
- H. 185 South from the 100 East intersection heading east to the 200 East intersection.
- I. 200 East from the Main Street intersection heading south to the 185 South intersection.
- J. 100 North from the River Road intersection heading west to the 400 West intersection.

CHAPTER 8.04 RIGHT-OF-WAY REGULATIONS

Section 8.04.010 Mailboxes

Section 8.04.020 Trash Can

Section 8.04.030 Responsibility for Improvements in Public Right-of-way

Section 8.04.010 Mailboxes

Mailboxes may be located in the public right-of-way only as follows: No masonry structure that incorporates a mailbox will be allowed in the right-of-way unless it is in the park strip where there is high back curb, gutter and sidewalk. If there is no high back curb, gutter and sidewalk, mailboxes in the right-of-way must be on a 4 by 4-inch wooden post or less or a 3-inch or less round, or square metal pole with a maximum ¼-inch wall thickness (or similar decorative wrought iron or tubing), or another break-away design approved by the City. Metal poles shall not be filled with concrete or other similar material; however a pole may be placed in a concrete filled hole in the earth that is twelve inches or less in diameter and 18 inches or less in depth. Notwithstanding any other provisions contained in this ordinance, the City is not responsible or liable for damage or destruction caused by the City or any other person or entity to mailboxes of any kind located within the City right-of-way, regardless of whether or not such mailboxes comply with this ordinance.

Section 8.04.020 Trash Can

It shall be unlawful to place or leave trash cans in a location in or on any City street or public right-of-way except on the designated trash pickup day for that location.

Section 8.04.030 Responsibility for Improvements in Public Right-of-way

Notwithstanding any other provisions contained in this Chapter, the City is not responsible or liable for damage or destruction caused by the City or any other person or entity to sprinklers, mailboxes, lights, plants, trees, shrubs, landscaping or other improvements of any kind located within the public right-of-way, regardless of whether or not such improvements comply with this Chapter.

CHAPTER 8.05 SNOW REMOVAL

Section 8.05.010 Snow Removal Priorities for Public Streets

Section 8.05.020 Duty to Remove Snow on Private Streets

Section 8.05.030 Snow Removal in New Subdivisions

Section 8.05.040 Snow Storage on Site

Section 8.05.050 Improvements in Public Right-of-way During City Snow Removal

Section 8.05.060 Parking During Snow Cleanup Periods

Section 8.05.070 Snow Removal from Private Drives

Section 8.05.080 Sidewalks to Be Cleared

Section 8.05.090 Snow Removal Near Mailbox Receptacle on All City Streets

Section 8.05.100 Snow Removal Near Fire Hydrant on Private Street

Section 8.05.010 Snow Removal Priorities for Public Streets

The City may provide snow removal on public streets on a priority basis as follows: First, major City roads (Class A) and school bus routes; second, main City roads (Class B); third, minor City roads (Class C) and cul-de-sacs; fourth, other City roads (class D).

Section 8.05.020 Duty to Remove Snow on Private Streets

It shall be the duty of every home owners association, property owner, corporation, partnership, or other entity having control over a private street to provide regular and adequate snow removal service on those private streets. The City has no duty to provide snow removal services on private roads.

Section 8.05.030 Snow Removal in New Subdivisions

Snow removal of public streets in new subdivisions or PUDs will begin only after official acceptance of the roads by the City and as governed by any applicable development agreement.

Section 8.05.040 Snow Storage on Site

It is the duty of all property owners and property owners associations to make arrangements for the storage of accumulated snow, either on their own premises or on the premises of another with permission of the other. All property owners and property owners associations, and their employees, agents, and contractors, shall confine the accumulated snow to their premises or the premises of another with permission of the other. Snow from private property shall not be placed on public property or public rights-of-way.

Section 8.05.050 Improvements in Public Right-of-way During City Snow Removal

No improvements or landscaping shall be placed or allowed to remain in a City right-of-way in such a manner that may affect or interfere with City snow removal. Notwithstanding any other provisions contained in this ordinance, the City is not responsible or liable for damage or destruction caused by the City or any other person or entity to sprinklers, mailboxes, lights,

plants, trees, shrubs, landscaping or other improvements of any kind located within the public right-of-way, regardless of whether or not such improvements comply with this ordinance.

Section 8.05.060 Parking During Snow Cleanup Periods

Beginning November 15th of each year and terminating April 1st of each following year, it shall be unlawful to park any vehicle within three (3) feet of any asphalt or impervious surface of any City street in a public right-of-way in all residential zones during designated snow clean up periods. The snow clean up period is that period beginning with the start of the snow falling and accumulating on the City streets, continuing thereafter for the next 24 hours or until snow removal has occurred, whichever comes first. All vehicles not moved during this period will be subject to being towed at the owner's expense.

(2011-13, Section Amended, eff. 1/25/2012)

Section 8.05.070 Snow Removal from Private Drives

It shall be unlawful for any person to remove snow from private drives or other private property and place or deposit that snow in or on any City street or public right-of-way.

Section 8.05.080 Sidewalks to Be Cleared

It shall be the duty of a property owner to clear the sidewalks at the perimeter of his or her property within twelve hours from the end of each snow storm.

Section 8.05.090 Snow Removal Near Mailbox Receptacle on All City Streets

It shall be the duty of every property owner to monitor, uncover and remove accumulated snow and windrows of snow from over and around the owner's mailbox. If the snow is not removed in a manner that the postal delivery employee can access the mailbox then mail may not be delivered, at the postal delivery employee's discretion, to the inaccessible mailbox.

(2019-04, Section Amended, eff. 3/5/19)

Section 8.05.100 Snow Removal Near Fire Hydrant on Private Street

It shall be the duty of every property owner on a private street to monitor, uncover and remove accumulated snow and windrows of snow from over and around any fire hydrant located in front of or adjacent to the owner's property. The fire hydrant area shall be uncovered for a minimum distance of not-less than three feet on all sides. Snow removal must occur within twelve hours from the end of each snow storm. Failure to remove snow around fire hydrants as described in this Code shall be punishable by a fine not to exceed \$500.

(2019-04, Section Added, eff. 3/5/19)

CHAPTER 8.06 STREET LEGAL ALL-TERRAIN VEHICLES

Section 8.06.010 Street Legal All-Terrain Vehicles

CHAPTER 8.06 STREET LEGAL ALL-TERRAIN VEHICLES

An all-terrain type I or type II vehicle that meets the requirements as set forth in the Utah Traffic Code, including but not limited to proper registration, licensure, lighting and safety requirements, may be operated as a street-legal ATV on a Midway City public road with one lane in each direction.