

CHAPTER 7.05
COURTHOUSE PARKING

SECTIONS

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7.05.010 DEFINITIONS:

- .01 VEHICLE: A vehicle means any device in, upon, or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks.
- .02 PERSON: Person means any individual, firm, partnership, association, or corporation.
- .03 OPERATOR: Operator means the registered owner of a vehicle, as well as, any individual who operates a vehicle as the owner thereof or as the agent, employee, or permittee of the owner, or who is in actual, physical control of a vehicle.
- .04 PARKING METER: Parking meter means any mechanical device or meter not inconsistent with the Chapter placed or erected for the regulation of parking under the authority of the Pottawattamie County Board of Supervisors.
- .05 PARKING METER SPACE: Parking meter space means any space adjacent to a parking meter and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the parking lot or paving adjacent to or adjoining the parking meter.

7.05.020 PROHIBITED PARKING: It shall be unlawful for any operator to park a vehicle in parking space or area in violation of officially posted signs or immediately adjacent to yellow, red or otherwise painted curbs. It shall be unlawful for any unauthorized operator to park a vehicle in any parking spaces or areas specifically reserved for county officials, Pottawattamie County Sheriff's Department vehicles, or Council Bluffs Police Department vehicles. (*Ordinance #2004-17/December 11, 2004*)

7.05.030 HANDICAPPED PARKING: It shall be unlawful for any operator to park a vehicle in any place designated as a "Handicapped Parking" space or area, without displaying said device in a vehicle not used by a person confined to a wheelchair or otherwise so handicapped as to have significant difficulty or insecurity in walking.

7.05.040 METER USE: When any vehicle shall be parked in any parking space along side or next to which a parking meter is located, the operator of vehicle shall, upon entering the said parking meter space immediately deposit or cause to be deposited into the meter, such proper coin of the United States as is required for such parking meter and as is designated by proper directions on the meter, and when required by the directions on the meter the operator of such vehicle, after the deposit of the proper coin or coins, shall also set in operation the timing mechanism on the meter in accordance with directions property

appearing thereon, and failure to deposit such proper coin or coins and to set the timing mechanism in operation when so required shall constitute a violation of this ordinance. Upon the deposit of such coin or coins and the setting of the timing mechanism in operation, the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed for the part of the parking area in which the parking space is located, provided that any person placing a vehicle in any parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant of the space, shall not be required to deposit a coin so long as his occupancy of the space does not exceed the indicated unused parking time.

The vehicle shall remain parked in any space beyond the parking time limit set for such parking space, or if the meter shall indicate such illegal parking, then and in that event, such vehicle shall be considered as parking overtime, and beyond the period of legal parking time, and such parking shall be deemed in violation of this ordinance.

7.05.050 RESERVED.

7.05.060 METER VIOLATIONS: The following acts while not deemed exclusive, shall constitute specific violations of this ordinance:

It shall be unlawful for any operator:

- .01 To cause, allow, or permit any vehicle to be parked overtime or beyond the period of legal parking time established for any parking meter, or to deposit in any parking meter any coin or other object for the purpose of parking beyond the maximum legal parking time for the particular parking meter.
- .02 To permit any vehicle to remain or be placed in any parking meter space adjacent to any parking meter will said meter is displaying a signal indicating that the vehicle occupying such parking space has already been parking beyond the period prescribed for such parking space.
- .03 To park any vehicle across any line or marking of a parking meter space, or in such position that the vehicle shall not be wholly within the area designated by such lines or markings.
- .04 To deposit or cause to be deposited in any parking meter any slugs, devices, or metal substance, or other substitute for lawful coins.

7.05.070 PARKING PASSES: The Chairman of the Board of Supervisors shall have the authority to issue to those persons engaged in official county business courtesy parking passes, to allow the free parking of vehicles in metered parking spaces by those persons in possession of the parking passes. The Board Chairman shall determine whether the applicant is or will be on official business, and shall also designate the length of time for which such permit shall be valid. Applications for such permits may be made at the Office of the Chairman of the Pottawattamie County Board of Supervisors in the Pottawattamie County Courthouse at Council Bluffs, Iowa.

7.05.080 ENFORCEMENT: The enforcement of the provisions of this chapter is hereby specifically declared to be the duty of the Pottawattamie County Board of Supervisors or their official designee. Those designated and authorized to enforce this Chapter may issue a citation of county infraction. There shall be attached to each vehicle parked in violation of the

provisions of this ordinance or any portion thereof, a notice to the owner or operator thereof, informing him of such violation and directing him to report to the Pottawattamie County Treasurer's Office in regard to such violation. (*Ordinance #2004-17/December 11, 2004*)

7.05.090 PENALTY FOR VIOLATION-OVERTIME PARKING:

The owner or operator of any vehicle who receives notice, either personally or by the attaching of such notice to the vehicle, that the vehicle is parked for such time as to violate the provisions of this ordinance, shall pay to the County Treasurer as follows:

- .01 If paid within 30-days from the time of violation as indicated on the notice, \$15.00;
- .02 If not paid by the 31st day, including holidays and weekends, from the time of violation as indicated on the notice, the information shall be filed in the Pottawattamie County District Court, and upon conviction for an overtime parking violation the fine shall be not less than \$15.00 nor more than \$25.00, or imprisonment for a term not exceeding seven days in jail. (*Ordinance #2004-17/December 11, 2004*)

7.05.100 PENALTIES FOR OTHER VIOLATIONS:

The owner or operator of any vehicle who receives notice, either personally or by the attaching of such notice to the vehicle, that the vehicle is parked in such a manner, in such a place, as to violate the provisions of this ordinance relating to the parking of vehicles other than Section 7.05.090, must pay to the County Treasurer as follows:

- .01 If paid within 30-days from the time of violation as indicated on the notice, \$15.00;
- .02 If not paid by the 31st day, including holidays and weekends, from the time of violation as indicated on the notice, the information shall be filed in the Pottawattamie County District Court, and upon conviction for a violation the fine shall be not less than \$15.00 nor more than \$25.00, or imprisonment for a term not exceeding seven days in jail.** (*Ordinance #2004-17/December 11, 2004*)

7.05.110 EFFECTIVE DATE: This ordinance shall become effective August 31, 1981.