

ORDINANCE # 289

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASSELTON, CASS COUNTY, NORTH DAKOTA.

Casselton Ordinance No. 282 relating to prohibited parking is hereby amended to read as follows:

ARTICLE I. Stopping, standing or parking prohibited in specified places.

No person shall stop, stand or park a vehicle or trailer (including travel trailers) except when necessary to avoid a conflict with other traffic or in compliance with law of the direction of a police officer or traffic control device, in any of the following places:

1. On a sidewalk
2. In front of a public or private driveway
3. Within an intersection
4. Within ten feet of a fire hydrant
5. On a crosswalk
6. Within ten feet of a crosswalk at an intersection
7. On the roadway side of any vehicle stopped at the edge or curb of a street
8. In the traveled portion of any alleyway.
9. At any place where official signs prohibit stopping or parking
10. Upon the traveled portion of any street or highway, whether such vehicle is attended or unattended, however, this section shall not apply to the driver of any vehicle which is disabled while on the paved or main traveled portion of a street in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.
11. In city parks in areas not specifically designed for parking.
12. On the non-driveway portion of any boulevard.
13. On any public right-of-way, including any street or alley, for more than 72 consecutive hours. This provision shall not apply to cars lighter than 6500 pounds and light trucks, defined as trucks weighing 13000 pounds or less. Light

trucks, by way of explanation, is meant to include pick-ups commonly referred to as “three-quarter ton pick-ups” and “half-ton pick-ups.”

This Article shall not apply to delivery or service vehicles being operated in the usual course of business provided that said vehicles shall not be left unattended while so parked as to cause unreasonable delay to traffic.

ARTICLE II. Semi Tractor and Semi Trailer Parking.

1. **It shall be unlawful for any person to park a semi tractor and/or semi trailer on any public street in Casselton not designated by sign as a semi trailer parking area. Provided, however, that such tractor and/or trailer may be parked on the streets or alleys long enough to complete their loading or unloading, and further provided that such restriction shall not apply to any vehicle in use on any repair, maintenance, or construction project in progress on any such street, boulevard or alley. No semi-trailer shall be dollied down on any street, avenue, boulevard, or alley in any district of the City of Casselton, except in a designated semi trailer parking area.**
2. In shall be unlawful to park any trailer within the City of Casselton containing toxic or hazardous materials as defined herein, except only as follows: At designated semi trailer parking areas in Commercial or Industrial zoned areas located within 2,500 feet of the center of Interstate 94.

ARTICLE III. Diagonal Parking. It shall be unlawful to park in any area designated for diagonal parking in such manner as to be parked contrary to the angles designated by parking stripes.

ARTICLE IV. Night Parking Restrictions.

A. Within the central business district it shall be unlawful for any person to park any vehicle or trailer on any north-south avenue between the hours of 2:00 a.m. and 7:00 a.m. on Mondays, Wednesdays, Fridays, and Sundays, or on any east-west street between the hours of 2:00 a.m. and 7:00 a.m. on Tuesdays, Thursdays, and Saturdays,. Any vehicle or trailer parked in violation of this section is hereby declared to be a public nuisance, and may be impounded by law enforcement.

B. From October 1 of each year until April 15 of the following year, within the area of the city outside of the central business district it shall be unlawful for any person to park any vehicle or trailer on any north-south avenue between the hours of 1:00 a.m. and 7:00 a.m. on Mondays, Wednesdays, Fridays, and Sundays, or on any east-west street between the hours of 1:00 a.m. and 7:00 a.m. on Tuesdays, Thursdays, and Saturdays. Any vehicle or

trailer parked in violation of this section is hereby declared to be a public nuisance, and may be impounded by law enforcement.

C. The central business district for purposes of this ordinance shall be defined as follows: Front Street between 8th Avenue and 6th Avenue, 8th Avenue between Front Street and 1st Street North, 6th Avenue between railroad tracks and 1st Street North, 1st Street North between 6th Avenue and 8th Avenue, and Langer Avenue between Front Street and 1st Street North.

D. Any vehicle that accrues more than \$40 in unpaid parking ticket fines may be impounded by law enforcement.

ARTICLE V. Fines and Penalties. Any violation of ARTICLE II (2), shall be considered a Class B misdemeanor and shall be subject to maximum fine and imprisonment as provided under North Dakota law, including future amendments. The fine for violating the parking provisions of this ordinance is \$20.

ARTICLE VI. Toxic or hazardous materials defined. Toxic or hazardous materials includes any substance, solution or mixture which, because of its quality, quantity, concentration, physical, chemical or infectious characteristics, or any combination of the foregoing, presents or may present an actual or potential hazard to human health or to the drinking water supply if such substance, solution, mixture, or combination thereof is discharged to the land or waters of the City of Casselton. Toxic or hazardous materials shall include, but are not limited to the following:

1. Hazardous waste as defined in Section 23-20.3-02(6), North Dakota Century Code, including any amendments thereto, which shall be automatically amended to be included within the scope of this ordinance.
2. Any substances that are defined in Section 19-21-01, North Dakota Century Code as any of the following: a) corrosive; extremely flammable, hazardous substance, or highly toxic.
3. Any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under [subpart F of 49 CFR part 172](#) or any quantity of a material listed as a select agent or toxin in 42 CFR part 73. This applies to any placarded trailer, whether or not the trailer is loaded or empty.

EFFECTIVE DATE. This ordinance supersedes any ordinance or part thereof that is inconsistent herewith and shall take effect and be in full force and effect upon publication.

APPROVED:

Lee Anderson, Mayor

ATTEST:

Sheila Klevgard, City Auditor

FIRST READING: February 1, 2016
SECOND READING: March 7, 2016
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