

CHAPTER 72: PARKING REGULATIONS

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Statutory reference:

Revenues from fees, fines, and forfeitures related to parking, see KRS 65.120

PARKING GENERALLY

§ 72.01 OBSTRUCTIONAL PARKING; DOUBLE PARKING.

(A) It shall be unlawful for any person to leave any commercial or industrial vehicle or any other thing that may be a nuisance, obstruction, or hindrance in or on any public way within the city either during the day or night, except while the vehicle is being loaded or or unloaded and such loading or unloading operation is actually taking place or while the cab of the vehicle is occupied by the driver thereof.

(Ord. 3-98, passed 7-6-98)

(B) It shall be unlawful for any person to stop or park any vehicle on the roadway side of any other vehicle stopped or parked at the edge or curb of a street.

Penalty, see § 72.99

§ 72.02 MANNER OF PARKING.

(A) It shall be unlawful for the operator of any vehicle to stop or park the vehicle in a manner other than with its right-hand side toward and parallel with the curb, except that where parking is permitted on the left side of a one-way street, the left-hand side shall be so parked, and except for commercial loading and unloading on one-way streets.

(B) All person shall park the vehicles which they drive or are in control of on their own property or in their own driveways or on pull off areas on the right-of-way. Visitors of residents shall park their vehicle in the driveways of their host(s) or on pull off areas on the right-of-way, unless if no such space is available. If no such space is available, visitors of residents may park their vehicles on the street so long as its two right wheels are off the pavement or are within six inches of and parallel with the curb, and the vehicle is facing the flow of traffic. No vehicle may remain parked on the street for more than 24 hours.

(C) No vehicle shall be backed to the curb on any street, except that wagons and trucks may do so when loading and unloading provided that such loading and unloading and delivery of property and material shall not consume more than 30 minutes. Such backing of trucks or wagons is prohibited at all times and on all streets in the city where any truck or wagon so backed interferes with the use of the roadway of moving vehicles or occupies road space within ten feet of the center line of the street.

(D) The city may establish diagonal parking at certain places, requiring the parking of vehicles at a certain angle to the curb and within a certain portion of the roadway adjacent thereto. However, diagonal parking shall not be established where the roadway space required therefor would be within ten feet of the center line of any street. Such diagonal parking places shall be designated by suitable signs, and shall indicate by markings on the pavement the required angle and the width of the roadway space within which such vehicle shall park.

(E) It shall be unlawful for the operator of any vehicle to so park such vehicle that any part thereof shall extend beyond the lines marking the side or the rear of the space assigned for one vehicle.

(F) Notwithstanding all other provisions concerning parking in this chapter, it shall be a violation for the operator of any motor vehicle to park a motor vehicle in a city right-of-way, if doing so causes or creates drainage problems such as standing water, erosion, mud, potholes, or pavement damage.

(Ord. 9-90, passed 9-4-1990; Am. Ord. 4-2011, passed 4-4-2011; Am. Ord. 2-2017, passed 5-1-2017) Penalty, see § 72.99

§ 72.03 LIMITATIONS OF STOPPING AND PARKING.

It shall be unlawful for the operator of any vehicle to stop or park such vehicle except in a case of real emergency or in compliance with the provisions of this traffic code or when directed by a police officer or traffic sign or signal at any time in the following places:

(A) On the mainly-traveled portion of any roadway or on any other place in the roadway where vehicles stand in any manner other than as specified in § 72.02.

(B) On a sidewalk.

(C) In front of sidewalk ramps provided for persons with disabilities.

(D) In front of a public or private driveway.

(E) Within an intersection or crosswalk.

(F) At any place where official signs prohibit stopping or parking. This does not apply to police officers when operating properly identified vehicles during the performance of their official duties.

(G) Within thirty (30) feet of any flashing beacon, traffic sign, or traffic-control device.

(H) No person shall move a vehicle not lawfully under his control into any such prohibited area.

(I) On any controlled access highway.

(J) Within a highway tunnel.

(K) Within fifteen (15) feet of a fire hydrant.

(L) In an area between the roadways of a divided highway.

(KRS 189.450(5), (6))

(M) No eighteen (18) wheel tractors and/or trailers shall be parked on any city street more than two hours.

(Ord. 9-90, passed 9-4-90) Penalty, see § 72.99

§ 72.04 RESTRICTIONS AND PROHIBITIONS ON DESIGNATED STREETS.

(A) The provisions of this section prohibiting the stopping and parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control devices.

(B) The provisions of this section imposing a time limit on parking shall not relieve any person from his duty to observe other and more restrictive provisions prohibiting or limiting the stopping or parking of vehicles in specific places or at specified times.

(C) When signs are erected in compliance with the provisions of division (F) below giving notice thereof, no person shall park a vehicle at any time on any street so marked by official signs.

(D) When a curb has been painted in compliance with the provisions of division (F) below, no person shall park a vehicle at any time at or adjacent to any curb so marked.

(E) When signs are erected in compliance with the provisions of division (F) below, in each block giving notice thereof, no person shall park a vehicle between the hours specified by official signs on any day except Sundays on any street so marked.

(F) (A) The city shall determine on what streets or portions thereof stopping or parking shall be restricted or prohibited. Whenever under authority of or by this traffic code or any other ordinance any parking limit is imposed or parking is prohibited on designated streets, or parking areas are restricted to parking for persons with disabilities, appropriate signs shall be erected giving notice thereof. However, in lieu of erecting such signs or in conjunction therewith, the face and top of a curb or curbs at or adjacent to which parking is prohibited at all times may be painted a solid yellow color.

(2) No such regulations or restrictions shall be effective unless the signs have been erected and are in place or the curbs are painted yellow at the time of any alleged offense, except in the case of those parking restrictions which by their very nature would not require such signs and markings.

(G) When signs are erected in compliance with division (F) above in each block giving notice thereof, no person shall park a vehicle for a time longer than specified on official signs any day except Sunday and on any street so marked.

Penalty, see § 72.99

§ 72.05 PARKING RESTRICTED TO ALLOW STREET CLEANING.

The city is authorized to designate street cleaning areas and shall provide suitable signs and markings on the street to be cleaned, restricting parking on that particular day. It shall be unlawful for the operator of any vehicle to stop on any street so designated.

Penalty, see § 72.99

§ 72.06 ALL NIGHT PARKING; ABANDONED AND JUNKED VEHICLES.

(A) "All night parking". It shall be unlawful for anyone to park in any one place any vehicle on any of the public ways or streets of the city for a period of twenty-four (24) hours or longer.

(B) "Abandoned vehicles". Any vehicle parked in one place upon a public way for a period of twenty-four (24) hours or longer shall be deemed abandoned, and shall be subject to all existing regulations of the city pertaining to abandoned motor vehicles.

(C) "Junked vehicle".

(1) "Junked vehicle" means any vehicle that is inoperative or reasonably appears to be inoperative; wrecked, dismantled, partially dismantled, or discarded. Conditions which may indicate that a motor vehicle is "junked" include, but are not limited to extensively rusted, or without all properly inflated tires, windshields, window glass, major chassis components, brake lights, or without any other vehicle component required by law or with an expired license plate or registration tag or without a license plate or registration tag.

(2) A junked vehicle located on a public way (or on private property and within public view) shall be deemed a public nuisance.

(3) It shall be unlawful for any person or persons to cause or allow a junked vehicle to be placed, located, maintained, or to exist upon the public way (or on private property and within public view).

(4) Any junked or abandoned vehicle located on the public way is subject to being removed pursuant to § 72.20 and the registered owner being fined pursuant to § 72.99 for each day the vehicle is not removed.

(5) Any junked vehicle located on private property and within public view is subject to a citation being issued pursuant to Chapter 92.

(Ord. 3-98, passed 7-6-98) Penalty, see § 72.99

Cross-reference:

Removal of abandoned vehicles, see § 72.21 et seq.

§ 72.07 PARKING ON PARADE ROUTE.

(A) The Chief of Police or other authorized city official shall have the authority, whenever in his judgment it is necessary, to prohibit or restrict the parking of vehicles along a street or part thereof constituting a part of the route of a parade or procession, to erect temporary traffic signs to that effect, and to prohibit and prevent such parking.

(B) It shall be unlawful to park or leave unattended any vehicle in violation of such signs or directions.

Penalty, see § 72.99

Cross-reference:

Parades, see §§ 71.40 through 71.51

§ 72.08 PARKING ON OFF-STREET FACILITY.

(A) It shall be unlawful for the driver of a motor vehicle to park or abandon the vehicle or drive on or otherwise trespass on another's property, or on an area developed as an off-street parking facility, without the consent of the owner, lessee, or person in charge of such property or facility.

(B) If at any time a vehicle is parked, abandoned, or otherwise trespasses in violation of division (A) of this section, the owner, lessee, or person in charge of the property or facility may have the unauthorized motor vehicle removed in accordance with the provisions of §§ 72.20 through 72.22.

(C) Every property owner or operator of an off-street parking facility shall post signs stating thereon that the property or parking lot or facility is privately owned and that unauthorized vehicles will be removed at the owner's expense before exercising the authority granted in division (B).

Penalty, see § 72.99

Statutory Reference:

Removal of vehicles by owners of private parking lots; signs, see KRS 189.725

§ 72.09 OWNER RESPONSIBILITY.

If any vehicle is found illegally parked in violation of any provisions of this subchapter regulating stopping, standing, or parking of vehicles, and the identity of the driver cannot be determined, the owner or person in whose name the vehicle is registered shall be held prima facie responsible for the violation.

Penalty, see § 72.99

§ 72.10 PARKING IN PARKS.

It shall be unlawful for any person to park any motor vehicle in or on any section of any public park, playground, play lot, or tot lot within the city not designed as a parking area or designed and regularly maintained as a roadway. However, nothing contained in this section shall be construed as prohibiting the parking of a motor vehicle parallel to a designated and regularly maintained roadway in any such park or playground where at least two wheels of the motor vehicle are resting on such roadway.

Penalty, see § 72.99

§ 72.11 DISPLAY OF PARKED VEHICLE FOR SALE.

It shall be unlawful to park a motor vehicle displayed for sale or a motor vehicle on which demonstrations are being made on any street.

Penalty, see § 72.99

§ 72.12 PARKING IN PARKING ZONES DESIGNATED FOR PERSONS WITH DISABILITIES.

(A) Certain parking zones are hereby established within the city marked "parking for persons with disabilities" and shall be restricted to parking for persons with disabilities only.

(B) Only vehicles bearing special license plates for persons with disabilities or proof of disabled status shall be permitted to park in these specialized zones designated for persons with disabilities.

(C) Any vehicle parking in zones designated for persons with disabilities without a special license plate shall be subject to citation by the city police and fined in the County District Court as set forth in § 72.99.

(Ord. 4-80, passed 2-4-80) Penalty, see § 72.99

§ 72.13 LIMITED PARKING ON FIRST STREET.

(A) Parking is hereby prohibited on the east side of First Street (also known as Highway 53) from Adams Street to Main Street.

(B) Parking is prohibited on both sides of First Street (Highway 53) from Main Street to Interstate 71.

(C) Parking is prohibited from Jefferson Street to Main Street from 6:00 a.m. to 7:00 p.m.

(Ord. 11-78, passed 7-5-78; Am. Ord. 1-85, passed 9-3-85; Am. Ord. 1-88, passed 3-7-88) Penalty, see § 72.99

§ 72.14 LIMITED PARKING ON SECOND STREET.

Parking is prohibited on Second Street between Main Street and Yager Avenue.

(Ord. 4-88, passed 5-2-88) Penalty, see § 72.99

§ 72.15 FIRE LANE DESIGNATION; RESTRICTIONS.

In an area designated as a fire lane either by posted sign or appropriate markings on pavement, it shall be unlawful for a motor vehicle to be left unattended without a licensed driver in the vehicle for any period of time or for a motor vehicle with a licensed driver in attendance to be left standing or parked for a period of five (5) minutes or longer.

(Ord. 20-97, passed 12-1-97) Penalty, see § 72.99

IMPOUNDING

§ 72.20 IMPOUNDMENT OF VEHICLES AUTHORIZED; REDEMPTION.

(A) All police officers are empowered to authorize the impoundment of a vehicle violating vehicle-related ordinances after a citation has been issued.

(B) A vehicle slated for impoundment will be tagged and placed under control of the Police Department. Should a vehicle be moved without the consent and approval of the Police Department a warrant shall be issued immediately for the violator's arrest.

(C) All fines, fees, and charges must be paid in full before a release of impoundment can be issued for the vehicle's release.

§ 72.21 REQUIRED NOTICE TO OWNER.

(A) When a motor vehicle has been involuntarily towed or transported pursuant to order of police, other public authority, or private person or business for any reason or when the vehicle has been stolen or misappropriated and its removal from the public ways has been ordered by police, other public authority, or by private person or business, or in any other situation where a motor vehicle has been involuntarily towed or transported by order of police, other authority, or by private person or business, the police, other authority, or private person or business shall attempt to ascertain from the State Transportation Cabinet the identity of the registered owner of the motor vehicle or lessor of a motor carrier as defined in KRS Chapter 281 and within ten business days of the removal shall, by certified mail, attempt to notify the registered owner at the address of record of the make, model, license number, and vehicle identification number of the vehicle, of the location of the vehicle, and of the requirements for securing the release of the motor vehicle.

(B) If a vehicle described in division (A) is placed in a garage or other storage facility, the owner of the facility shall attempt to provide the notice provided in division(A) by certified mail to the registered owner at the address of record of the motor vehicle or lessor of a motor carrier as defined in KRS Chapter 281 within ten business days of recovery of, or taking possession of the motor vehicle. This notice shall contain the information as to the make, model, license number, and vehicle identification number of the vehicle, the location of the vehicle, and the amount of reasonable charges for towing, recovery, storage, transporting, and other applicable charges due on the vehicle. When the owner of the facility fails to provide notice as provided herein, the motor vehicle storage facility shall forfeit all storage fees accrued after ten business days from the date of tow. This division (B) shall not apply to a tow lot or storage facility owned or operated by the city.

(KRS 376.275(1), (2))

§ 72.22 SALE OF VEHICLE.

(A) (1) Any person engaged in the business of storing or towing motor vehicles, who has substantially complied with the aforementioned requirements of this section, shall have a lien on the motor vehicle and its contents, except as set forth in division (B) of this section, for the reasonable or agreed charges for towing, recovery, storage, transporting, and other applicable charges due on the vehicle, as long as it remains in his possession.

(2) Prior to payment of fees and release of a vehicle, a towing or storage company shall not refuse the right of physical inspection of the towed vehicle by the owner or an insurance company representative. Release of the vehicle shall occur to the owner or insurance company representative upon payment and consent of the release from the owner or the owner's authorized representative. Each additional service shall be set forth individually as a single line item in the bill with an explanation and the exact charge for the service.

(3) If after a period of forty-five (45) days, the reasonable or agreed charges for towing, recovery, storage, transporting, and other applicable charges due on a motor vehicle and its contents have not been paid, the motor vehicle and its contents, except as set forth in division (B) of this section, may be sold to pay the charges after the owner has been notified by certified mail ten (10) days prior to the time and place of the sale. If the proceeds of the sale of any vehicle pursuant to this section are insufficient to satisfy accrued charges for towing, transporting, and storage, the sale and collection of proceeds shall not constitute a waiver or release of responsibility for payment of unpaid towing, transporting, and storage charges by the owner or responsible casualty insurer of the vehicle. A lien on a vehicle under this subsection shall be subject to prior recorded liens.

(4) A lien holder having a prior recorded lien listed on the title issued by the Commonwealth of Kentucky shall be notified by certified mail within the first fifteen (15) days of impoundment. The letter shall include the make, model, license number, vehicle identification number, owner's name and last known address, and tentative date of sale for the vehicle. If the above-referenced certified letter is not sent within the fifteen (15) days by the towing and storage company, then only fifteen (15) days of storage may be charged. The lien holder has the right to take possession of the motor vehicle after showing proof of lien still enforced, and paying the reasonable or agreed towing and storage charges on the motor vehicle. Nothing in this section shall allow the transfer of a vehicle subject to a lien, except as provided in KRS 186A.190.

(B) Division (A) of this section shall not apply to the following contents of a motor vehicle, which shall be released to the vehicle owner or the owner's designated agent upon request, if the request is made within forty-five (45) days of the date the vehicle was towed:

(1) Prescription medication in its proper container;

(2) Personal medical supplies and equipment or records;

(3) Educational materials, including but not limited to calculators, books, papers, and school supplies;

(4) Documents, files, electronic devices, or equipment which may be able to store personal information or information relating to a person's employment or business;

(5) Firearms and ammunition. Notwithstanding the provisions of division (C) of this section, firearms and ammunition which are not claimed by the owner of the vehicle within forty-five (45) days of the date the vehicle was towed shall be transferred to the Department of Kentucky State Police for disposition as provided by KRS 16.220;

(6) Cargo in the possession of persons engaged in transportation in interstate commerce as registered under KRS 186.020;

(7) Cargo in the possession of an integrated intermodal small package carrier as defined by KRS 281.605(12);

(8) Child restraint systems or child booster seats; and

(9) Checks, checkbooks, debit or credit cards, money orders, stocks, or bonds.

(C) Except as provided for in division (B)(5) of this section, any contents exempted under division (B) of this section that are not claimed by the owner of the vehicle within forty-five (45) days of the date the vehicle was towed may be sold or otherwise legally disposed of by the storage or towing company.

(D) The storage or towing company shall not be responsible for contents in a vehicle's trunk or other locked compartment to which the storage or towing company is without access, unless the towing company intentionally opens the area without the owner's consent.

§ 72.23 VEHICLE OBSTRUCTING SIDEWALK TO BE IMPOUNDED.

All peace officers of this city are authorized and directed to impound any motor vehicle which is parked on any sidewalk. The city shall follow the procedures for impoundment as provided in § 72.20. In addition to the penalties in § 72.20, the city shall have a lien upon any motor vehicles impounded to secure payment of the cost of the impoundment and storage thereof.

(Ord. 10-88C, passed 9-6-88)

Cross-reference:

Obstruction on sidewalks, §§ 91.30 - 91.34

SNOW EMERGENCY

§ 72.35 ANNOUNCEMENT OF SNOW EMERGENCY.

Whenever the Chief of Police or other authorized city official finds that falling snow, sleet, or freezing rain will create a condition which makes it necessary that the parking of motor vehicles on snow emergency routes be prohibited, or whenever he finds on the basis of a firm forecast of snow, sleet, or freezing rain that the weather conditions so forecasted may create a condition making it necessary that such parking be prohibited, he is authorized to announce such prohibition, to become effective at a time specified by him. After the effective time of such prohibition no person shall park any vehicle or permit any vehicle to remain parked on a snow emergency route. However, if a fall of snow, sleet, or freezing rain occurs after 11:00 p.m. and prior to 6:00 a.m., and the Chief of Police or other authorized city official has not announced prior to 11:00 p.m. that parking on snow emergency routes is to be prohibited after a specified time, a vehicle parked on a snow emergency route may remain so parked until 7:00 a.m. following such fall. The prohibition of parking announced by the Chief of Police or other authorized city official under the authority of this section shall remain in effect until he announces the termination of the snow emergency, in part or in whole, after which the prohibition of parking authorized by this section shall no longer be in effect.

Penalty, see § 72.99

§ 72.36 TERMINATION OF EMERGENCY.

Whenever the Chief of Police or other authorized city official shall find that some or all of the conditions which gave rise to the snow emergency prohibition no longer exist, he is authorized to declare the termination of the emergency, in part or in whole, effective immediately on announcement. If such announcement is made other than between 6:00 a.m. and 11:00 p.m., it shall be repeated between those hours.

§ 72.37 SNOW EMERGENCY ROUTES.

The term "SNOW EMERGENCY ROUTE" shall mean any route designated by the Chief of Police or other authorized city official. On such street or highway designated as a snow emergency route, special signs shall be posted to this effect.

PARKING IN BUSINESS DISTRICT

§ 72.45 DEFINITION OF BUSINESS DISTRICT.

As used in this subchapter, the term "business district" shall include the following streets: Jefferson Street bounded by Second Street and Cedar Street; Second Street bounded by Jefferson Street and Washington Street; Washington Street bounded by Second Street and Cedar Street; Cedar Street bounded by Jefferson Street and Washington Street; and Main Street bounded by Third Street and Cedar Street.

(Ord. 2-78, passed 4-3-78)

§ 72.46 PARKING REGULATIONS.

(A) There is hereby established a two-hour parking limit within the business district defined in § 72.45 from 6:00 a.m. to 6:00 p.m. each day of the week.

(B) Any person who causes or permits any vehicle to be parked in the business district beyond this two-hour parking limit shall be guilty of a violation and fined as set forth in § 72.99.

(Ord. 2-78, passed 4-3-78) Penalty, see § 72.99

§ 72.99 PENALTY.

(A) First offense. A fine of \$50.00, if paid within 30 days of citation; and additional \$50.00 if not paid within 30 days of citation, plus interest at the rate of 1% per month, compounded monthly.

(B) Second offense. A fine of \$100.00, if paid within 30 days of citation; and additional \$100.00 if not paid within 30 days of citation, plus interest at the rate of 1% per month, compounded monthly.

(C) Third offense. A fine of \$500.00, if paid within 30 days of citation; and additional \$500.00 if not paid within 30 days of citation, plus interest at the rate of 1% per month, compounded monthly.

(D) Nothing in this section will affect the imposition of attorney fees or legal costs and this section does not repeal the imposition of the same in prior ordinances or ordinances that may be enacted and ordained after this section is enacted or ordained.

(Ord. 6-2011, passed 5-2-11)