

**Ordinance No. 15-09**

**AN ORDINANCE AMENDING TITLE 9, PARKING CODE, OF PARK CITY MUNICIPAL CODE SECTIONS 9-10-1, NO IDLING and 9-10-2 IDLING ON PUBLIC AND PRIVATE PROPERTY.**

WHEREAS, emissions from vehicle idling contribute significantly to air pollution, climate change and increased rates of cancer and heart and lung diseases which adversely affect the health, natural environment and economic wellbeing of residents, guests and visitors of Park City; and

WHEREAS, petroleum-based fuels are nonrenewable and should be used wisely and not wasted; and

WHEREAS, idling a typical vehicle for longer than ten seconds consumes more fuel than restarting that vehicle, resulting in excessive emissions and wasted fuel; and

WHEREAS, Park City Municipal Code, 9-8-3, already provides that no delivery vehicle parked on Main Street or Swede Alley shall be parked with its engine left idling; and

WHEREAS, Utah State Code, 41-6a-1403, prohibits the idling of an unattended vehicle; and

WHEREAS, Park City Municipal Corporation presently has a Fuel Conservation and Anti-Idling Policy in place, encouraging efficient use of City vehicles to reduce operating costs and emissions; and

WHEREAS, reducing needless vehicle idling is in keeping with Park City's promotion as an eco-tourism destination and its affiliation with ICLEI (Local Governments for Sustainability); and

WHEREAS, the City Council desires to ensure that unnecessary idling does not occur in idle-frequent locations such as school grounds, parking lots/garages, business centers, and ski resort parking lots and loading and unloading zones; and

WHEREAS, Clean Air Park City will, on its own and in partnership with Park City Municipal Corporation and other like-minded organizations, continue to educate residents, visitors, and guests of the dangers to the environment and health of citizens caused by the unnecessary idling of motor vehicles; and

WHEREAS, the City Council desires to take a proactive position on air pollution to protect the livability and viability of Park City and its residents, visitors and guests; and

WHEREAS, it is in the public interest that Park City residents, guests and visitors reduce vehicle emissions to protect the health, economy and natural environment of Park City and the surrounding area;

WHEREAS, City Council has previously demonstrated leadership on this issue by adopting an "Idle-Free Resolution" for Park City in November 2009; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK CITY, UTAH THAT:**

**Section I.** Amendment. Title 9 Parking Code, Section 9-10-1, of the Municipal Code of Park City is hereby amended as follows:

**9-10-1 NO IDLING.**

No driver, while operating a vehicle within Park City corporate limits, shall cause or permit a vehicle's engine to idle for more than ~~three~~ **one** minutes, with exceptions for the following circumstances:

(A) The vehicle is forced to remain motionless on a roadway because of traffic conditions.

(B) The vehicle is an authorized emergency vehicle used in an emergency situation.

(C) Vehicle idling is necessary for auxiliary power for law enforcement equipment, fire, emergency and water equipment, refrigeration units, loading and unloading lifts, well drilling, farming, battery charging, or is required for proper functioning of other equipment that is part of the vehicle.

(D) Vehicle idling is necessary for repair or inspection of the vehicle.

(E) The health or safety of a driver or passenger, including service animals, requires the vehicle to idle, ~~including instances where the temperature is below 32 degrees F or above 90 degrees F.~~ This exception also includes idling needed to operate window defrosters and other equipment necessary to promote safe driving conditions.

(F) Vehicle idling is necessary for efficient operation of a turbo-charged heavy duty vehicle (e.g., buses) or to operate a vehicle within manufacturer's operating requirements. This includes building air pressure in air brake systems, among other requirements.

Vehicle idling under these exceptions should not violate Utah State Code, 41-6a-1403, which prohibits the idling of an unattended vehicle.

**9-10-2. IDLING ON PUBLIC AND PRIVATE PROPERTY.**

Section 9-10-1 may only be enforced when the idling vehicle is found on:

(A) Public property, or

(B) Private property that is open to the public unless the private property owner:

(I) Has a private business that has a drive-through service as a component of the private property owner's business operation and posts a sign provided by or acceptable to Park City informing its customers and the public of Park City's time limit of ~~three~~ **one** minutes\_for idling vehicle engines; or

(II) Adopts an idle reduction education policy approved by Park City **and posts signage.**

**9-10-3. SAFETY OF LAW ENFORCEMENT OFFICERS.**

Section 9-10-1 shall be enforced in such a manner as to provide for the utmost safety of the law enforcement officers or designees who enforce it.

After receiving three warning citations, violators shall pay a penalty in an amount set forth for general parking violations in the Fee Resolution.

Council indicated a general support for these changes in a Study Session and in a work session. This topic has been added to the consent agenda.

**Section IV.** Effective Date. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 2<sup>nd</sup> day of April 2015.

PARK CITY MUNICIPAL CORPORATION

  
Mayor Jack Thomas

Attest:

  
\_\_\_\_\_  
Marci Heil, City Recorder



Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney