

Ordinance No. 11-03

**ORDINANCE AMENDING TITLE 6, CHAPTER 3, NOISE
AND TITLE 9, CHAPTER 8, DELIVERIES & SHORT-TERM USE
OF THE MUNICIPAL CODE OF PARK CITY, UTAH**

WHEREAS, the livability and viability of Park City, its residents, businesses, and guests is a high priority and a work session was held by the City Council on December 2, 2010 on potential amendments to Titles 6 and 9 of the Municipal Code regarding anti-idling and Main Street deliveries; and

WHEREAS, the City Council unanimously adopted Ordinance No. 10-42 on December 16, 2010 prohibiting needless idling and demonstrating a proactive and committed position to protect the health, economy and natural environment of our community by addressing both air and noise pollution; and

WHEREAS, complaints about Main Street deliveries are almost exclusively noise-driven and it is felt that enforcement of the decibel level limit described in Title 6, Noise Abatement, and the enforcement of anti-idling legislation will address potential nuisances and conflicts in the Main Street core; and

WHEREAS, public hearings were noticed and held on the following amendments at the City Council's regularly scheduled meeting on January 6, 2011 and January 13, 2011; and

WHEREAS, members of the City Council find it in the best interest of the public to clarify the Municipal Code from time to time and specifically in this instance to realistically promote best practices by minimizing conflicts in neighboring commercial and residential zones and to enact sound legislation that is able to be consistently enforced and understood; and

NOW, THEREFORE, BE IT ORDAINED:

SECTION 1. AMENDMENTS. The following amendments shall be made to Titles 6 and 9 of the Municipal Code of Park City, Utah as follows:

6-3-8(F) LOADING OPERATION. Loading, unloading, opening, or otherwise handling boxes, crates, containers, garbage containers, or other objects between the hours of 10 p.m. and 7 a.m.

9- 8- 3. DELIVERY VEHICLES IN THE MAIN STREET CORE.

All delivery vehicles parked on Main Street or Swede Alley shall observe the following restrictions;

(A) Delivery vehicles **operating south of Heber Avenue** shall utilize the west side of Main Street during the hours from ~~7:00 a.m.~~ **3:00 a.m.** to 12:00 noon. **Delivery vehicles operating north of Heber Avenue shall utilize Main Street during the hours from 7:00 a.m. to 12:00 noon.** After **12:00 noon** ~~which time~~ no delivery vehicle shall be parked on Main Street. Delivery vehicles may utilize any parking space on the west side of Swede Alley from ~~7:00 a.m.~~ **3:00 a.m.** to 4:00 p.m.

(B) Delivery vehicles may double park on the west side of Main Street south of Heber Avenue from the hours of ~~7:00 a.m.~~ 3:00 a.m. to 12:00 noon. Delivery vehicles may double park on Main Street north of Heber Avenue from the hours of 7:00 a.m. to 12:00 noon. Delivery vehicles may double park provided that: the double parked vehicle is in the course of an expeditious delivery, there is no other curb parking available, the double parked vehicle does not inhibit traffic flow or block a legally parked car from leaving the curb.

(C) Delivery vehicles shall utilize the loading zones on the west side of Swede Alley for deliveries to Main Street after the hour of 12:00 noon.

(D) No delivery vehicle shall park on the east side of Swede Alley.

(E) No delivery vehicle shall be parked in such a manner to impede the flow of traffic.

(F) No delivery vehicle shall be parked with its engine left idling.

(G) No delivery vehicle shall park on Park Avenue, between Heber Avenue and King Road Avenue, to make deliveries to a business with a Main Street address.

(H) Special Events and Master Festivals in the Main Street Core that are authorized by the City may impact delivery vehicle operations. Delivery vehicles will have special privileges and restrictions as approved by the City's special events staff in accordance with the standards in Title 4, Chapter 8.

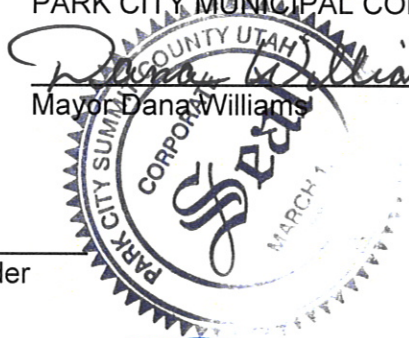
SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 13th day of January, 2011.

PARK CITY MUNICIPAL CORPORATION



Mayor Dana Williams




Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney