

ORDINANCE NO. 38

AN ORDINANCE TO PROHIBIT PARKING ON PLATO ROAD.

BE IT ORDAINED

BY THE BOARD OF SUPERVISORS CEDAR COUNTY:

SECTION 1 -- PURPOSE

The purpose of this ordinance is to promote public safety and improve roadway maintenance by prohibiting parking of motor vehicles including trailers (whether or not attached) on the East and West sides of Plato Road from 250th St North to 230th St.

SECTION 2 – DEFINITIONS

- A. Motor Vehicle: Any vehicle which is self-propelled.
- B. Trailer: Every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle.
- C. Operator: A person who is in actual physical control of a motor vehicle and/or trailer.
- D. Owner: A person who holds the legal title of a motor vehicle and/or trailer, or in the event the unit is subject to a security agreement with an immediate right of possession vested in the debtor, then such debtor shall be deemed the owner for the purpose of this Ordinance.
- E. Park, Parking: The stopping, standing of an attended or unattended motor vehicle and/or trailer.

SECTION 3 – PROHIBIT PUBLIC PARKING ON PLATO ROAD.

It shall be unlawful and a violation of the provisions of this Ordinance for any person to cause, allow, permit or suffer a motor vehicle and/or trailer to be parked on the East and West Sides of Plato Road from 250th St North to 230th St.

If any motor vehicle and/or trailer is found parked in violation of this Ordinance and the operator of same cannot be determined, the Owner shall be held prima facie responsible for said violation.

SECTION 4 – SIGNS

The provisions of this Ordinance shall be in effect when signs notifying the public of the restriction on parking have been installed.

SECTION 5 – ENFORCEMENT AND PENALTY

A. Violations of this Ordinance may be prosecuted as misdemeanors, and if the violations are prosecuted as misdemeanors, operators or owners convicted of violating this Ordinance shall be fined as provided for by Sections 321.236, 321.239, 805.6 and 805.8 of the 2003 Code of Iowa and this Ordinance shall be enforced as provided for by said Sections of the Code.

B. Violations of this Ordinance may be prosecuted as county infractions, and if the violations are prosecuted as county infractions, operators or owners convicted of violating this Ordinance shall be subject to the penalties and alternative relief provided for by Cedar County Ordinance No. 20 of the Cedar County Code.