

CHAPTER 73: PARKING

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GENERAL PROVISIONS

§ 73.01 PARKING; GENERALLY.

No person shall park any vehicle, or approach the curb with a vehicle, except when headed in the direction of the traffic. Vehicles, when parked, shall stand parallel with and adjacent to the curb or edge of the roadway, in a manner as to have both right wheels within 12 inches of the curb or edge of the roadway, and so as to leave at least four feet between the vehicle so parked and any other parked vehicles, except where the governing body designates that vehicles shall be parked at an angle so as to have the front right wheel at the curb or edge of the roadway. Where stalls are designated either on the curb or pavement, vehicles shall be parked within the stalls. No vehicle shall be parked upon a roadway when there is a shoulder adjacent to the roadway which is available for parking.
(1999 Code, § 5-401) Penalty, see § 73.99

§ 73.02 DESIGNATION.

Except as otherwise provided in this chapter, any vehicle stopped or parked upon a two-way roadway where parking is permitted shall be so stopped or parked with the right-hand wheels parallel to and within 12 inches of the right-hand curb or edge of the roadway. No vehicle shall be parked upon a roadway when there is a shoulder adjacent to the roadway which is available for parking.
(1999 Code, § 5-402) Penalty, see § 73.99

§ 73.03 AREAS.

(A) Except when necessary to avoid conflict with other traffic or when in compliance with law or the directions of a peace officer or traffic control device, no person shall:

(1) Stop, stand or park any vehicle:

- (a) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- (b) On a sidewalk;
- (c) Within an intersection;

(d) On a crosswalk;

(e) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone unless the City Council indicates a different length by signs or markings;

(f) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;

(g) Upon any bridge or other elevated structure over a highway or within a highway tunnel;

(h) On any railroad track; or

(i) At any place where official signs prohibit stopping.

(2) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

(a) In front of a public or private driveway;

(b) Within 15 feet of a fire hydrant;

(c) Within 20 feet of a crosswalk at an intersection;

(d) Within 30 feet of any flashing signal, stop sign, yield sign or other traffic control device located at the side of a roadway;

(e) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of the entrance when properly signposted; or

(f) At any place where official signs prohibit standing.

(3) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:

(a) Within 50 feet of the nearest rail of a railroad crossing; or

(b) At any place where official signs prohibit parking.

(B) No person shall move a vehicle not lawfully under his or her control into any prohibited area or away from a curb such a distance as shall be unlawful.

(Neb. RS 60-6,166) (1999 Code, § 5-403) Penalty, see § 73.99

§ 73.04 OBSTRUCTING ALLEY.

No person shall park a vehicle with any portion thereof projecting into any alley entrance.
(1999 Code, § 5-404) Penalty, see § 73.99

§ 73.05 ALLEYS.

No person shall park a vehicle in any alley, except for the purpose of loading or unloading during the time necessary to load or unload, which shall not exceed the maximum limit of one-half hour. Every vehicle while loading or unloading in an alley shall be parked in a manner as will cause the least obstruction possible to traffic in the alley.
(1999 Code, § 5-405) Penalty, see § 73.99

§ 73.06 UNLOADING; FREIGHT VEHICLES.

The operator of a vehicle of an over-all length of less than 20 feet, including load, while loading or unloading freight may back the vehicle to the curb but shall occupy as little of the street as possible.
(1999 Code, § 5-406)

§ 73.07 SCHOOLS, THEATERS.

The governing body may, by resolution, prohibit the parking or stopping except for loading or unloading of passengers or freight, of vehicles at the curb on streets directly in front of any entrance to a school house, school building or theater, and the curbs adjacent to the entrance of the school house, school building or theater shall be painted red to indicate the prohibition.
(1999 Code, § 5-407) Penalty, see § 73.99

§ 73.08 FIRE HYDRANTS AND STATIONS.

No vehicle shall be parked within 15 feet in either direction of any fire hydrant nor within 20 feet of the driveway entrance to any fire station. The curb space within that area of 15 feet in either direction of the fire hydrant shall be painted red to indicate the prohibition.
(1999 Code, § 5-408) Penalty, see § 73.99

§ 73.09 STREET INTERSECTIONS.

Except when necessary to avoid conflict with other traffic or when in compliance with law or the directions of a peace officer or traffic control device, no person shall park a vehicle or leave a vehicle standing for any purpose, except momentarily to load or discharge passengers, within 25 feet of the

intersection of curb lines, or if none, then within 15 feet of the intersection of property lines or where the curb lines are painted red or another color specified by the City Council to indicate the prohibition. (1999 Code, § 5-409) Penalty, see § 73.99

§ 73.10 OBSTRUCTING TRAFFIC.

No person shall, except in case of an accident or emergency, stop any vehicle in any location where stopping will obstruct any street, intersection or entrance to an alley or public or private drive. (1999 Code, § 5-410) Penalty, see § 73.99

§ 73.11 CURB.

(A) No vehicle shall park on any street with its left side to the curb, unless the street has been designated to be a one-way street by the governing body.

(B) Vehicles must not be parked at any curb in a position as to prevent another vehicle already parked at the curb from moving away. (1999 Code, § 5-411) Penalty, see § 73.99

§ 73.12 TRUCK PARKING; PROHIBITIONS.

(A) The City Council may, by resolution designate an area to be known as the no truck parking area, and shall indicate that area by approach to the area. It shall be unlawful for the operator of any truck, truck-trailer or semi-trailer of an overall length of 20 feet or more, including load, to stop or park in a no truck parking area; provided, the vehicles may stop, stand or park within the area for a time as is necessary, in no case to exceed one-half hour to load or unload in alleys where the stopping is possible; and provided further, if stopping for the purpose of loading or unloading in alleys within a no truck parking area is impossible, it shall be lawful for those vehicles to stop, stand or park in the streets within the area for those purposes after having obtained a written permit from the Chief of Police to do so.

(B) The Mayor and City Council may by resolution provide truck parking areas on streets near or adjacent to the no truck parking area, and when truck parking areas have been established, it shall be the duty of truck operators to use the area for parking purposes except when loading or unloading as permitted by division (A) above.

(C) It shall be unlawful for the operator of any truck, truck-tractor or semi-trailer, regardless of length, to park the vehicle with the end-gate down and extending beyond the body of the vehicle, or to stop, stand or park the vehicle within a street intersection, on a crosswalk or a sidewalk or in front of a private driveway.

(D) It shall be unlawful for any motor carrier, common carrier or contract carrier, as defined in Neb. RS 75-223, and amendments thereto, to stop or park in any street or alley within the residence district between the hours of 6:00 p.m. of any one day and 8:00 a.m. of the succeeding day, or to use or employ any of the parking space in a residence district for any commercial purpose.

(E) It shall be unlawful for any oil tanker, gasoline transport or tank truck transporting inflammable liquids to park or stop for any period of time within the limits of any street or alley of this city except to load or unload its cargo in a safe and expeditious manner; provided, drivers of the vehicles may stop or park the vehicles on arterial streets or highways while en route through this city for a period of time not to exceed one hour for rest and meals; and provided further, in case of breakdown or stalling because of exhaustion of its motor fuel, the stopping of the disabled vehicle for the reasonable time necessary to meet the emergency shall not be a violation of this section. It shall be unlawful to park or stop any vehicle, whether containing any inflammable liquid or not, for any period of time on any private premises within the corporate limits of this city except to load, unload or meet an emergency situation unless the private premises are outside the fire limits and are used exclusively for the conduct of the wholesale or retail petroleum business with ample parking facilities for the vehicles.
(1999 Code, § 5-412) Penalty, see § 73.99

§ 73.13 CURRENT REGISTRATION.

It shall be unlawful to park or place on the highways or other public property any vehicle required to be registered by the Motor Vehicle Registration Act that is not registered in accordance with the Act.
(1999 Code, § 5-423) Penalty, see § 73.99

Statutory reference:

Motor Vehicle Registration Act, see Neb. RS 60-301

§ 73.14 TIME LIMIT.

If the City Council adopts a resolution entirely prohibiting, or fixing a time limit for, the parking and stopping of vehicles on any highway, it is unlawful to park or stop any vehicle in the highway for a period of time longer than fixed in the resolution.
(1999 Code, § 5-424)

§ 73.15 MAXIMUM TIME LIMIT.

It shall be unlawful to park a vehicle on a public street for over 24 consecutive hours except where a different maximum time limit is posted.
(1999 Code, § 5-425) Penalty, see § 73.99

§ 73.16 REMOVAL OF ILLEGALLY PARKED VEHICLES.

(A) Whenever any peace officer, or any authorized employee of a law enforcement agency who is employed by the city and specifically empowered by ordinance to act, finds a vehicle standing upon a highway in violation of any of the provisions of this chapter, the individual may remove the vehicle, have the vehicle removed, or require the driver or other person in charge of the vehicle to move the vehicle to a position off the roadway of the highway or from the highway.

(B) The owner or other person lawfully entitled to the possession of any vehicle towed or stored shall be charged with the reasonable cost of towing and storage fees. Any towing or storage fee shall be a lien upon the vehicle prior to all other claims. Any person towing or storing a vehicle shall be entitled to retain possession of the vehicle until the charges are paid. The lien provided for in this section shall not apply to the contents of any vehicle.

(Neb. RS 60-6,165) (1999 Code, § 5-427) Penalty, see § 73.99

HANDICAPPED OR DISABLED PERSONS

§ 73.30 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ACCESS AISLE. A space adjacent to a handicapped parking space or passenger loading zone which is constructed and designed in compliance with the Federal Americans with Disabilities Act of 1990, being 42 U.S.C. 1201 et seq. and the federal rules and regulations adopted and promulgated in response to the act.

HANDICAPPED OR DISABLED PERSON. Any individual with a severe visual or physical impairment which limits personal mobility and results in an inability to travel unassisted more than 200 feet without the use of a wheelchair, crutch, walker or prosthetic, orthotic or other assistant device, any individual whose personal mobility is limited as a result of respiratory problems, any individual who has a cardiac condition to the extent that his or her functional limitations are classified in severity as being Class III or Class IV, according to standards set by the American Heart Association, and any individual who has permanently lost all or substantially all the use of one or more limbs.

HANDICAPPED PARKING INFRACTION. The violation of any section of this subchapter regulating to:

- (1) The use of parking spaces, including access aisles, designated for use by handicapped or disabled persons;

(2) The unauthorized possession, use or display of handicapped or disabled parking permits;

or

(3) The obstruction of any wheelchair ramps constructed or created in accordance and in conformity with the Federal Americans with Disabilities Act of 1990.

TEMPORARILY HANDICAPPED OR DISABLED PERSON. Any handicapped or disabled person whose personal mobility is expected to be limited in a manner for no longer than one year. (1999 Code, § 5-413) (Ord. 02-594, passed 12-4-2002)

Statutory reference:

Additional laws regarding disabled parking permits, see Neb. RS 60-3,113.01

**§ 73.31 DESIGNATION OF ON-STREET PARKING SPACES AND ACCESS AISLES;
DISPLAY OF PERMITS.**

(A) (1) The governing body may designate parking spaces, including access aisles, for the exclusive use of:

(a) Handicapped or disabled persons whose motor vehicles display the distinguishing license plates issued to handicapped or disabled persons pursuant to Neb. RS 60-3,113.02 and 60-3,113.03;

(b) Handicapped or disabled persons whose motor vehicles display a distinguishing license plate issued to a handicapped or disabled person by another state;

(c) Other handicapped or disabled persons or temporarily handicapped or disabled persons, as certified by the municipality, whose motor vehicles display the permit specified in Neb. RS 18-1739; and

(d) Other motor vehicles, as certified by the municipality, which display the permit.

(2) All permits shall be displayed by hanging the permit from the motor vehicle's rearview mirror so as to be clearly visible through the front windshield. The permit shall be displayed on the dashboard only when there is no rearview mirror.

(B) If the governing body so designates a parking space or access aisle, it shall be indicated by posting aboveground and immediately adjacent to and visible from each space or access aisle a sign as described in Neb. RS 18-1737. In addition to the sign, the space or access aisle may also be indicated by blue paint on the curb or edge of the paved portion of the street adjacent to the space or access aisle. (1999 Code, § 5-414) (Ord. 02-595, passed 12-4-2002)

Statutory reference:

Similar provisions, see Neb. RS 18-1736

§ 73.32 DESIGNATION OF OFF-STREET PARKING STALLS, SPACES AND ACCESS AISLES.

The municipality and any person in lawful possession of any off-street parking facility may designate stalls or spaces, including access aisles, in the facility owned or operated by the municipality or person for the exclusive use of:

(A) Handicapped or disabled persons whose motor vehicles display the distinguishing license plates issued to those individuals pursuant to Neb. RS 60-3,113.02 and 60-3,113.03;

(B) Other handicapped or disabled persons or temporarily handicapped or disabled persons, as certified by the municipality, whose motor vehicles display the permit specified in Neb. RS 18-1739; and

(C) Other motor vehicles, as certified by the municipality, which display the permit. This designation shall be made by posting aboveground and immediately adjacent to and visible from each stall or space, including access aisles, a sign which is in conformance with the requirements in Neb. RS 18-1737.

(1999 Code, § 5-415) (Ord. 02-596, passed 12-4-2002)

Statutory reference:

Similar provisions, see Neb. RS 18-1737

§ 73.33 PERSONAL PERMIT; ISSUANCE; RENEWAL.

(A) The Municipal Clerk shall take an application, on a form provided by the Department of Motor Vehicles, from a handicapped or disabled person or temporarily handicapped or disabled person or his or her parent, legal guardian or foster parent for a permit which will entitle the holder thereof or a person driving a motor vehicle for the purpose of transporting the holder to park in those spaces or access aisles provided for by this subchapter when the holder of the permit will enter or exit the motor vehicle while it is parked in those spaces or access aisles. For purposes of this section, the handicapped or disabled person or temporarily handicapped or disabled person shall be considered the holder of the permit.

(B) A person applying for a permit or for the renewal of a permit shall complete an application, shall provide proof of identity, and shall submit a completed medical form containing the statutory criteria for qualification and signed by a physician, physician assistant or advanced practice registered nurse certifying that the person who will be the holder meets the definition of handicapped or disabled person or temporarily handicapped or disabled person. No applicant shall be required to provide his or her Social Security number. In the case of a temporarily handicapped or disabled person, the certifying physician, physician assistant or advanced practice registered nurse shall indicate the estimated date of recovery or that the temporary handicap or disability will continue for a period of six months, whichever is less.

(C) A person may hold only one permit under this section and may hold either a permit under this section or a permit under § 73.34, but not both.

(D) A copy of the completed application form shall be given to each applicant. The Municipal Clerk shall submit to the Department of Motor Vehicles the name, address and license number of all persons applying for a permit pursuant to this section.

(E) An application for the renewal of a permit under this section may be filed within 30 days prior to the expiration of the permit. The existing permit shall be invalid upon receipt of the new permit.

(F) The Municipal Clerk shall not accept the application for a permit of any person making application contrary to the provisions of Neb. RS 18-1738.02. (1999 Code, § 5-416) (Ord. 01-566, passed 6-5-2001; Ord. 02-597, passed 12-4-2002)

Statutory reference:

Authority or similar provisions, see Neb. RS 18-1738, 18-1738.02

§ 73.34 MOTOR VEHICLE PERMIT; ISSUANCE; RENEWAL.

(A) The Municipal Clerk shall take an application from any person for a motor vehicle permit which will entitle the holder thereof or a person driving the motor vehicle for the purpose of transporting handicapped or disabled persons or temporarily handicapped or disabled persons to park in those spaces or access aisles provided for by this subchapter if the motor vehicle is used primarily for the transportation of handicapped or disabled persons or temporarily handicapped or disabled persons. The parking permit shall be used only when the motor vehicle for which it was issued is being used for the transportation of a handicapped or disabled person or temporarily handicapped or disabled person and the person will enter or exit the motor vehicle while it is parked in designated spaces or access aisles.

(B) A person applying for a permit or for the renewal of a permit pursuant to this section shall apply for a permit for each motor vehicle used for the transportation of handicapped or disabled persons or temporarily handicapped or disabled persons, shall complete the forms as are provided to the Municipal Clerk by the Department of Motor Vehicles, and shall demonstrate to the Municipal Clerk that each motor vehicle is used primarily for the transportation of handicapped or disabled persons or temporarily handicapped or disabled persons. A copy of the completed application form shall be given to each applicant.

(C) No more than one permit shall be issued for each motor vehicle. A person may hold either a permit under this section or a permit under § 73.33, but not both.

(D) An application for the renewal of a permit under this section may be filed within 30 days prior to the expiration of the permit. The existing permit shall be invalid upon receipt of the new permit.

(E) The Municipal Clerk shall submit to the Department of Motor Vehicles the name, address and license number of all persons applying for a permit pursuant to this section.

(F) The Municipal Clerk shall not accept the application for a permit of any person making application contrary to Neb. RS 18-1738.02.

(1999 Code, § 5-417) (Ord. 02-598, passed 12-4-2002)

Statutory reference:

Authority or similar provisions, see Neb. RS 18-1738.01, 18-1738.02

§ 73.35 PERMITS; PROHIBITED ISSUANCE; DUPLICATE PERMITS.

(A) No permit shall be issued to any person or for any motor vehicle if any parking permit has been issued to the person or for the motor vehicle and the permit has been suspended pursuant to § 73.37. At the expiration of the suspension, a permit may be renewed in the manner provided for renewal in this subchapter.

(B) A duplicate permit may be provided without cost if the original permit is destroyed, lost or stolen. A duplicate permit shall be issued in the same manner as the original permit, except that a newly completed medical form need not be provided if a completed medical form submitted at the time of the most recent application for a permit or its renewal is on file with the Municipal Clerk or the Department of Motor Vehicles. A duplicate permit shall be valid for the remainder of the period for which the original permit was issued.

(1999 Code, § 5-418) (Ord. 02-599, passed 12-4-2002)

Statutory reference:

Authority or similar provisions, see Neb. RS 18-1739

§ 73.36 PERMITS; PERIOD VALID; RENEWAL OF TEMPORARY PERMITS.

(A) All permanently issued permits for handicapped or disabled parking authorized by this subchapter shall be issued for a period ending on September 30 of the third year after the date of issuance and shall expire on that date.

(B) All permits authorized under this subchapter for temporarily handicapped or disabled parking shall be issued for a period ending not more than six months after the date of issuance but may be renewed one time for a period not to exceed six months. For the renewal period, there shall be submitted an additional application with proof of a handicap or disability.

(1999 Code, § 5-419) (Ord. 02-600, passed 12-4-2002)

Statutory reference:

Authority or similar provisions, see Neb. RS 18-1740

§ 73.37 PERMITS; NON-TRANSFERABLE; VIOLATION; SUSPENSION.

(A) Permits issued under this subchapter shall not be transferable and shall be used only by the party to whom issued or for the motor vehicle for which issued and only for the purpose for which it is issued. No person shall alter or reproduce in any manner a permit issued pursuant to this subchapter. No person

shall knowingly hold more than one permit or knowingly provide false information on an application for a permit.

(B) No person who is not the holder of a handicapped or disabled parking permit issued to him or her as a handicapped or disabled person shall display a handicapped or disabled parking permit and park in a space or access aisle designated for the exclusive use of a handicapped or disabled person.

(C) No person who is the holder of a handicapped or disabled parking permit issued for the use of the person when transporting a handicapped or disabled person shall display his or her handicapped or disabled parking permit and park in a space or access aisle designated for the exclusive use of a handicapped or disabled person unless a handicapped or disabled person is actually in the vehicle displaying the permit at the time it is parked, has left the vehicle while it was parked, and will return to the vehicle before it leaves the designated space or access aisle.

(D) No person who is not the holder of a handicapped or disabled parking permit issued for use when a vehicle is transporting a handicapped or disabled person shall display a handicapped or disabled parking permit and park in a space or access aisle designated for the exclusive use of a handicapped or disabled person unless a handicapped or disabled person is actually in the vehicle displaying the permit at the time it is parked, has left the vehicle while it was parked, and will return to the vehicle before it leaves the designated space or access aisle.

(1999 Code, § 5-420) (Ord. 02-601, passed 12-4-2002) Penalty, see § 73.99

Statutory reference:

Authority or similar provisions, see Neb. RS 18-1741

§ 73.38 REMOVAL OF UNAUTHORIZED VEHICLE.

(A) The owner or person in lawful possession of an off-street parking facility, after notifying the municipal police and the municipality, if it provides on-street parking or owns, operates or provides an off-street parking facility, may cause the removal, from a stall or space, including access aisles, designated exclusively for handicapped or disabled persons or temporarily handicapped or disabled persons or motor vehicles for the transportation of handicapped or disabled persons or temporarily handicapped or disabled persons, of any vehicle not displaying the proper permit or the distinguishing license plates specified in this subchapter if there is posted aboveground and immediately adjacent to and visible from the stall or space, including access aisles, a sign which clearly and conspicuously states the area so designated as a tow-in zone.

(B) A person who parks a vehicle in any on-street parking space or access aisle which has been designated exclusively for handicapped or disabled persons or temporarily handicapped or disabled persons or motor vehicles for the transportation of handicapped or disabled persons or temporarily handicapped or disabled persons, or in any so exclusively designated parking space or access aisle in any off-street parking facility, without properly displaying the proper permit or when the handicapped or disabled person to whom or for whom, as the case may be, the license plate or permit is issued will not enter or exit the vehicle while it is parked in the designated space or access aisle shall be guilty of a handicapped parking infraction and shall be subject to the penalties and procedures set forth in §§ 73.39

and 73.99. The display on a motor vehicle of a distinguishing license plate or permit issued to a handicapped or disabled person by and under the duly constituted authority of another state shall constitute a full and complete defense in any action for a handicapped parking infraction. If the identity of the person who parked the vehicle in violation of this section cannot be readily determined, the owner or person in whose name the vehicle is registered shall be held prima facie responsible for the violation and shall be guilty and subject to the penalties and procedures described in §§ 73.39 and 73.99.

(C) In the case of a privately owned off-street parking facility, the municipality shall not require the owner or person in lawful possession of the facility to inform the municipality of a violation of this section prior to the municipality issuing the violator a handicapped parking infraction citation. (1999 Code, § 5-421) (Ord. 02-602, passed 12-4-2002)

Statutory reference:

Authority or similar provisions, see Neb. RS 18-1737

§ 73.39 CITATION; ISSUANCE; COMPLAINT; TRIAL.

(A) For any offense classified as a handicapped parking infraction, a handicapped parking citation may be issued by any peace officer or by any person designated by ordinance by the governing body to exercise the authority to issue a citation for any handicapped parking infraction.

(B) When a handicapped parking citation is issued for a handicapped parking infraction, the person issuing the handicapped parking citation shall enter thereon all required information, including the name and address of the cited person or, if not known, the license number and description of the offending motor vehicle, the offense charged and the time and place the person cited is to appear in court. Unless the person cited requests an earlier date, the time of appearance shall be at least three days after the issuance of the handicapped parking citation. One copy of the handicapped parking citation shall be delivered to the person cited or attached to the offending motor vehicle.

(C) At least 24 hours before the time set for the appearance of the cited person, either the Municipal Attorney or other person authorized by law to issue a complaint for the particular offense shall issue and file a complaint charging the person with a handicapped parking infraction or the person shall be released from the obligation to appear as specified.

(D) The trial of any person for a handicapped parking infraction shall be by the court without a jury. A person cited for a handicapped parking violation may waive his or her right to trial.

(E) For any handicapped parking citation issued for a handicapped parking infraction by reason of the failure of a vehicle to display a handicapped parking permit issued pursuant to Neb. RS 18-1738 or 18-1738.01, the complaint shall be dismissed if, within seven business days after the date of issuance of the citation, the person cited files with the court the affidavit included on the citation, signed by a peace officer certifying that the recipient is the lawful possessor in his or her own right of a handicapped

parking permit issued under Neb. RS 18-1738 or 18-1738.01 and that the peace officer has personally viewed the permit.

(1999 Code, § 5-422)

Statutory reference:

Authority or similar provisions, see Neb. RS 18-1741.01, 18-1741.04, 18-1741.06

PARKING VIOLATIONS BUREAU

§ 73.50 CREATED.

(A) There is hereby created a Parking Violations Bureau to handle parking violations, which bureau shall be under the direction and supervision of the Municipal Clerk.

(B) The Parking Violations Bureau shall collect and account for all money paid in accordance with this chapter and shall issue receipts therefor.

(1999 Code, § 5-428)

Statutory reference:

Authority, see Neb. RS 18-1729

§ 73.51 ISSUING CITATIONS.

It shall be the duty of any authorized law enforcement officer to issue a citation which shall be processed originally through the Parking Violations Bureau upon finding;

(A) Any motor vehicle in violation of a motor vehicle parking ordinance or of a duly established parking regulation of the municipality;

(B) Any motor vehicle stopped or parking in a manner as to interfere with the lawful use of the street; or

(C) Any motor vehicle stopped or parked in violation of this chapter.

(1999 Code, § 5-429)

§ 73.52 DUTIES.

(A) It shall be the duty of the Parking Violations Bureau to accept from those violators as are permitted and desire to plead guilty in accordance with the procedure hereinafter set forth, the penalties and fees herein designated and to issue receipts therefor.

(B) Violators of the motor vehicle traffic regulations shall be given notice in the form of an official police tag attached to the offending motor vehicle, which notice shall require the violator to appear forthwith at the Parking Violations Bureau. Any violator appearing at the Bureau within five days after the date the official police tag is issued and desiring to plead guilty and waive the court appearance shall sign a written plea of guilty and waiver of court appearance and shall pay to the Bureau the sum of \$2 as liquidated damages to the city for improper use of its streets by virtue of the parking violations. If any violator shall fail to appear at the Parking Violations Bureau within five days after the date the official police tag is issued, the Parking Violations Bureau shall send to the owner of the motor vehicle to which the official police tag was affixed, a written notice informing him or her of the violation and warning him or her that he or she will be held responsible for, and as, the offender, and that in the event the violator or owner of the vehicle to which the official police tag was attached fails to appear at the Parking Violations Bureau within five days after the date of issuance of the written notice, a complaint and warrant of arrest will be issued. Any violator appearing at the Parking Violations Bureau within five days after the date of the written notice and desiring to plead guilty and waive court appearance, shall sign a written plea of guilty and waiver of court appearance and shall pay to the Bureau the sum of \$5.
(1999 Code, § 5-430)

§ 73.53 RECORDS.

(A) The Parking Violations Bureau shall keep a record of all violators, showing the name, the time and the date of violations, disposition, and penalty and fees collected. All penalties and damages collected by the Bureau shall be deposited with the Municipal Treasurer to the credit of the General Fund.

(B) A form of waiver of appearance and plea may be required to be signed and deposited with the penalty and fees collected from each violator.

(C) If it appears from the records of the Parking Violations Bureau that any person shall have received two parking violation tickets within a period of six months, then the Parking Violations Bureau shall have no further jurisdiction, and the additional parking violations shall constitute an offense as provided by the provisions of this code, and an appropriate complaint shall be filed therefor with the County Court.
(1999 Code, § 5-431)

§ 73.99 PENALTY.

(A) Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provisions of § 70.99.

(B) Any person violating any provision of § 73.12 shall be subject to a fine in the amount of \$50 which shall be payable to the Parking Violations Bureau within seven working days of the date of the

violation. If the fine is not paid within that time, a complaint therefor will be filed with the County Court.

(1999 Code, § 5-412)

(C) Any violation of § 73.37 shall constitute a handicapped parking infraction and shall be cause for suspension of the permit for a period of six months and imposition of the penalty provided for violation of this chapter. In addition, the trial court shall impose a fine of not more than \$250 which may be waived by the court if, at the time of sentencing, all handicapped parking permits issued to or in the possession of the offender are returned to the court. At the expiration of the six-month period, a suspended permit may be renewed in the manner provided for renewal in § 73.34.

(1999 Code, § 5-420)

(Ord. 02-601, passed 12-4-2002)