



Memo

To: Mayor and Hayden City Council

From: Alan Soderling, Public Works Director

Date: 3.24.2026

Agenda Item: Consider amendments to Hayden City Code Title 6-1-3 Parking Regulations to clarify towing authority for public purposes.

Agenda Item Location

New Business

Summary

Hayden City Code Title 6-1-3 authorizes the City to direct the towing of vehicles and to pass the cost of such actions to the vehicle owner. The code needs to be clarified to ensure that the City's authority to direct vehicle towing and recover costs includes typical activities such as construction, road maintenance, and publicly sanctioned events where removing vehicles may be necessary to serve a public purpose. The current language lists snow plowing specifically, but not other activities where towing may be required to serve the public good.

Recommended Action or Motion

Provide direction to staff to proceed with finalizing proposed amendments to Title 6-1-3 for public notice and Council adoption.

Attachments

Proposed amendments to Title 6-1-3 Parking Regulations



Proposed Amendments to Hayden City Code Title 6-1-3

6-1-3: PARKING REGULATIONS:

A. Authority:

1. The city council and/or the public works director hereby authorized to indicate zones where vehicles shall not be parked or stopped for any purpose, including deliveries or pick ups, loading or unloading, when, in the opinion of the city council or the public works director, based upon his professional judgment, it is necessary to prevent parking, standing and/or stopping of vehicles on any street or portion of such street. The city council and/or public works director may do so by either placing appropriate signs or placing barricades or officers at such places. The city may designate an agent who is authorized to remove illegally parked vehicles and the owner thereof shall pay the cost of such removal and storage.

2. Upon approval from the city administrator, the public works director or the director's designee is authorized to indicate temporary zones or locations where vehicles shall not be parked, when, in the opinion of the public works director or the director's designee, it is necessary to temporarily prevent the parking of vehicles to avoid public harm or inconvenience or to prevent the vehicles from impeding ~~snowplowing~~. Activities necessary to serve the public, including but not limited to snow plowing, construction, right of way and underground utility maintenance, and publicly sanctioned events. The public works director or the director's designee may do so either by placing appropriate signs or placing barricades at such places where parking is to be restricted or by publishing such notice of the parking restrictions in the official newspaper of the city and placing it on the city's website. It shall be unlawful for any person to park any vehicle at such time and at such designated places in violation of the restrictions established by the public works director or the director's designee. Any law enforcement officer or an agent of the City designated agent of the city by the Public Works Director is authorized to remove such illegally parked vehicles and the owner thereof shall pay the cost of such removal and storage.

1. Removal: The enforcement official, upon finding any motor vehicle or major recreational equipment parked in violation of any provision of this section, may have the same removed from such street, alley, parking lot, or park and the owner shall pay the cost of such removal and all other associated costs, including storage.

B. Administration: Any peace officer or other designated person observing any violations of this section may issue a ticket describing such violation and the charge assessed for the

violation to the person responsible for committing the violation by placing a citation on the vehicle. The designated persons are authorized to refrain from instituting a prosecution charging the person with an infraction or, where applicable, a misdemeanor, if such person pays the charge herein assessed to the city within fourteen (14) calendar days of the violation.

C. Vehicle Ownership As Evidence; Exception:

1. In any prosecution against the registered owner of a motor vehicle charging a violation of any regulation governing the standing or parking of a vehicle under any ordinance of the city, proof that the particular vehicle described in the complaint was parked in violation of any such ordinance, together with proof that the defendant named in the complaint was, at the time of parking, the registered owner of the vehicle, shall constitute prima facie evidence that the registered owner of the vehicle was the person who parked or placed the vehicle at the point where, and for the time during which, the violation occurred. For the purposes of this subsection, proof that a person is the registered owner of a vehicle is not prima facie evidence that the registered owner has violated any other provision of law. Proof of a written lease or of a rental agreement for a particular vehicle described in the complaint on the date and time of the violation, which lease or rental agreement includes the name and address of the person to whom the vehicle is leased or rented, shall rebut the prima facie evidence that the registered owner was the person who parked or placed the vehicle at the time and place where the violations occurred.

2. In any prosecution against the lessee or renter of a motor vehicle charging a violation of any regulation governing the standing or parking of a vehicle under any ordinance of the city, proof that the particular vehicle described in the complaint was parked in violation of any provision of the ordinance, together with proof that the defendant named in the complaint was, at the time of parking, the lessee or renter of the vehicle, shall constitute prima facie evidence that the lessee or renter of the vehicle was the person who parked the vehicle at the point where, and for the time during which, the violation occurred. For the purposes of this subsection, proof that a person is the lessee or renter of a vehicle is not prima facie evidence that the lessee or renter has violated any other provision of this law.

3. Any charge under such ordinance shall be dismissed when the person charged has made a bona fide sale or transfer of the vehicle, has delivered possession thereof to the purchaser, and has complied with the requirements of Idaho Code title 49, chapter 4, prior to the date of the alleged violation and has advised the court of the name and address of the purchaser and the date of the sale.

D. Parking Regulations Generally:

1. No person shall stop or park a vehicle, except when necessary to avoid conflict with other traffic or comply with law or the directions of a police officer or traffic control device, in any of the following circumstances:

a. At any location where a traffic control device restricting or prohibiting parking has been posted in accordance with subsection A of this section;

b. On a public sidewalk, pedestrian path, bicycle path or similar nonvehicular right of way;

c. In an alley, except for loading and unloading which shall be done as expeditiously as possible and shall not exceed thirty (30) minutes' elapsed time in any one block, unless written permission is given by city administrator;

d. In front of, or otherwise blocking, a public or private driveway or street access from lands adjoining a public street;

e. In an unloading zone for more than thirty (30) minutes;

f. Within fifteen feet (15') of a fire hydrant;

g. In violation of posted public parking lot use regulations;

h. In a handicapped zone without having a valid special license plate or special card bearing the international accessible symbol issued by the department of motor vehicles;

i. In the opposite direction of the authorized traffic movement;

j. Upon the travel area of the roadway when it is practicable to stop, park or leave the vehicle off the roadway.

2. No vehicle shall be parked at the same location or combination of locations within the same block on any public street or alley in the city continuously for more than forty-eight (48) hours. Movement of a vehicle on a public street, alley, or other public property for a distance of less than six hundred feet (600') for a period of less than twenty-four (24) contiguous hours shall constitute continuous and uninterrupted parking or storage in the same location.

3. Overnight Parking In Residential Areas:

a. Restrictions: It is unlawful to park or otherwise leave overnight, or between the hours of one minute after twelve o'clock (12:01) A.M. and six o'clock (6:00) A.M., on any public street or public alley in the city on those areas classified as residential by the official zoning ordinance, commercial vehicles, commercial trailers, or vehicles over ten thousand (10,000) pounds' licensed gross vehicle weight, the principal use of which is the transportation of commodities, merchandise, produce, freight, animals, vehicles, passengers for hire, or backhoes, tractors and cranes.

b. Exceptions: The provision of subsection 3(a) of this section shall not apply when a vehicle is parked: a) for any purpose incident to any lawful construction project located within the immediate vicinity of such parked vehicle; b) for any purpose incident to a lawful commercial or industrial operation located in any residential area and conducted under a conditional use permit and so long as the vehicle is parked within one hundred feet (100') of such commercial or industrial operation.

E. Major Recreational Equipment: No person shall park or store major recreational equipment on any public right of way for a period to exceed twenty four (24) hours. For the purposes of this section "major recreational equipment" is defined as including, but not limited to, boats and boat trailers, pickup campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not.

F. City Park Parking Restrictions:

1. Prohibited Areas:

a. No person shall stop, stand or park a motor vehicle within any City park, except in designated areas established by the City Council and marked by a sign.

b. No person shall operate or be in physical control of a motor vehicle in any City park (except in designated parking lots and other roadways open for public use), without the permission of the Mayor or City Administrator or their designee.

c. The Mayor and City Administrator are authorized to indicate temporary zones where motor vehicles may be parked within any City park.

2. Exceptions: The provisions of this section do not apply to authorized emergency vehicles or to any vehicles in the City park participating in an authorized parade or event approved by the City Council. For the purposes of this section, "authorized emergency vehicles" shall mean vehicles operated by any fire department or law enforcement agency

of the State or any political subdivision thereof and ambulances of any public utility or public service corporation.

G. Removal: The enforcement official, upon finding any motor vehicle or major recreational equipment parked in violation of any provisions of this section, may have the same removed from such street, alley, parking lot or park and the owner shall pay the cost of such removal and all other associated costs.

H. Violations: It is unlawful for any individual to violate any of the provisions of this section. Anyone violating any provision of this section may be charged with an infraction, and if the violator is found guilty, will be fined as provided by law.

1. In lieu of issuance of a uniform citation for the infraction, law enforcement officers are authorized to issue a civil citation. The civil assessments shall be as follows:

Violation	Charge
Violation	Charge
In a handicapped zone	\$100.00
In alley or in front of driveway	50.00
Over 30 minutes in loading zone	50.00
By a fire hydrant	50.00
Opposing traffic	50.00
Parking on roadway travel area	50.00
In a no parking zone	50.00
Violation of public parking lot use regulations	50.00
Other parking violations not specifically listed	50.00

2. The civil citation assessment shall be payable at City Hall within thirty (30) days from the date of issuance. No partial payments will be accepted as full payment.

3. Nothing contained herein prohibits a law enforcement officer from issuance of a uniform infraction citation instead of a civil citation.

I. Appeal Of Civil Penalties: A determination that a person has committed a civil violation, as allowed in this section, may be appealed in the following manner:

1. A person who has received a citation for a civil violation may file a written request with the city for a hearing within ten (10) business days after the date of issuance of the citation. A hearing shall be held within five (5) business days after receipt of the written request.

2. The scope of the hearing shall be limited to the following issues:

a. Whether a civil violation did in fact occur; and

b. Whether the person who received the civil citation had any responsibility for the actions that gave rise to the issuance of the citation.

3. The hearing shall be informal and strict rules of evidence shall not apply. The person may be represented by counsel, present testimony and evidence, and examine witnesses.

4. A decision shall be issued and the person shall be notified in writing within five (5) days after the close of the hearing.

5. The decision of the hearing officer may be appealed to the mayor or her or his designee pursuant to such rules as may be established. The decision of the mayor shall be final. (Ord. 519, 3-13-2013; amd. Ord. 573, 7-11-2017, eff. 1-1-2018; Ord. 603, 8-27-2019; Ord. 632, 6-14-2022)