

ORDINANCE NO. 3-1-01

AN ORDINANCE TO ESTABLISH A SNOW EMERGENCY POLICY; TO ADOPT PARKING REGULATIONS DURING DECLARED SNOW EMERGENCIES; TO ESTABLISH A PENALTY AND PROVIDE FOR ENFORCEMENT OF REGULATIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104, the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers;

WHEREAS, pursuant to Neb. Rev. Stat. § 23-103, the powers of the County as a body are exercised by the Sarpy County Board of Commissioners (“County Board”);

WHEREAS, pursuant to Neb. Rev. Stat. § 23-187, the County may regulate, through an ordinance, parking of motor vehicles on public roads, highways, and rights-of-way as it pertains to snow removal for and access by emergency vehicles to areas within the county;

WHEREAS, the Sarpy County Public Works Department provides snow and ice removal for County road systems and roads within sanitary and improvement districts during winter storm events;

WHEREAS, vehicles parked on such roads hinder the ability of Sarpy County to adequately remove snow and ice, impair the public’s ability to access routes to seek emergency services, and in certain cases pose a hazard to the general public;

WHEREAS, it is the intent of the Sarpy County Board to enact a Snow Emergency Ordinance; and,

WHEREAS, the Sarpy County Board has held a public hearing on the matter, after giving due notice as required by law.

NOW THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF SARPY, NEBRASKA:

SECTION 1. Declarations:

There is hereby established a Snow Emergency Ordinance to require that any vehicles parked along public roadways, including but not limited to street, highways, avenues, boulevards, or other public ways within the county roads system or any sanitary and improvement district, shall be removed in a declared snow or ice event so that roads can be adequately cleared to provide a safe driving surface.

Should a Public Snow Emergency be declared, the Communications Manager shall publicize notice on the Sarpy County website and provide such notice to at least two media outlets, including but not limited to radio, television stations, or any other communications medium whose normal operating range covers the county and can disseminate the declaration within one hour after it is made.

SECTION 2. Definitions:

For purposes of this Ordinance, and where consistent with the context of a particular section, the defined terms, phrases, words, abbreviations, and their derivations shall have the meaning given in this section. When consistent with the context, words in the present tense shall include the future tense, words used in the plural number shall include words in the singular number and words in the singular number shall include words in the plural number. The word “shall” is always mandatory, and not merely directory.

a) **Public Snow Emergency** shall mean a declared snow or ice event made by the Highway Superintendent and County Administrator, or their designees, after consultation with the County Board Chairperson. Such declaration shall remain in effect for forty-eight (48) hours or until it is otherwise declared completed by the Highway Superintendent and County Administrator, or their designees.

b) **Public roadway** shall mean street, highways, avenues, boulevards, or any other public ways within the county roads systems or any sanitary and improvement district

SECTION 3. Prohibited acts:

It shall be unlawful, during the pendency of any public snow emergency declaration, for any person to park, or allow to be parked, any vehicle of any kind or description at any time on either side of any public roadway within Sarpy County until such public snow emergency is declared completed.

SECTION 4. Exceptions:

a) Emergency vehicles in the operation of emergency purposes.

SECTION 5. Penalty:

Any person found to be in violation of this Ordinance shall be subject to ticketing and/or towing, and shall be subject to the following fines:

Ticket Fee: \$20.00 per declared snow emergency

Tow Fees:

Basic Hook-up Fee, Towing	\$75.00
Mileage	\$2.00 per mile from hook-up location to Sarpy County Tow Lot
Inside Storage	\$25.00 per calendar day
Outside Storage	\$20.00 per calendar day
Winching/Labor Fee	\$100.00 per hour, prorated per quarter hour, with a maximum charge of \$100.00 per vehicle
Tarping	\$25.00 per calendar day
Administrative Fee	\$30.00

SECTION 6. Intent:

It is the intent of this Ordinance to promote the public peace and order of the County. The provisions of this Ordinance have neither the purpose nor effect of imposing a limitation or restriction on exercises of free speech that are protected by the First Amendment.

SECTION 7. Effective area:

This Ordinance is effective in Sarpy County, but it shall not be effective within the corporate boundaries of Bellevue, LaVista, Springfield, Gretna, and Papillion; nor shall it be effective within the area outside of the corporate boundaries of Bellevue, LaVista, Springfield, Gretna, and Papillion in which those cities have been granted and are exercising powers by ordinance on a similar subject matter.

SECTION 8. Effective date:

This Ordinance shall take effect and be in force fifteen days after its passage, approval, and publication, as provided by law.

Original Ordinance Adopted June 15, 2010.

Current Revised Ordinance:

Passed and Adopted this 8th day of December, 2020.


Sarpy County Board Chairman

Attest:



Gene Lensman
Sarpy County Clerk (Chief Deputy)