

ORDINANCE 298

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF
ELKINS, WEST VIRGINIA, AMENDING AND SUPPLEMENTING
CITY CODE CHAPTER 71: STOPPING, STANDING AND PARKING
CONCERNING PARKING IN ALLEYS

WHEREAS, the Common Council of the City of Elkins, West Virginia previously adopted City Code Chapter 71: Stopping, Standing and Parking; and

WHEREAS, the Common Council has determined that it is in the best interest of the citizens that Chapter 71: Stopping, Standing and Parking should be amended and supplemented to address the issue of parking vehicles in alleys; and

WHEREAS, pursuant to WV Code §17C-2-8-(a) (1), municipalities are given the special authority to regulate the standing or parking of vehicles within their jurisdiction.

NOW, THEREFORE, be it Ordained and Enacted by the Common Council of the City of Elkins that Chapter 71: Stopping, Standing and Parking be amended and supplemented by adding the following sections:

§71.52 Parking in Alleys

No person shall park any vehicle, whether occupied or not, within an alley in such manner or under such conditions as to leave available less than ten feet width of the roadway for the free movement of vehicular traffic.

§71.53 Parking in Downtown Alleys

No person shall park a vehicle within an alley as shown on the map contained herein, except when actually loading or unloading goods, wares or merchandise and then for a period not to exceed thirty minutes.

§71.99(F) Parking Tickets.

Any person who violates the parking provisions of this Chapter shall be subject to fines and penalties in an amount to be set by the Common Council from time to time for each offense.

This Ordinance shall become effective upon passage.

If any portion of this Ordinance shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and Common Council determines that it would have adopted this Ordinance without the invalid provision.

PASSED AND APPROVED ON FIRST READING: April 19, 2022.

PASSED AND APPROVED ON SECOND AND FINAL READING THE 5th DAY
OF May, 2022.

CITY OF ELKINS, WEST VIRGINIA

Jessica R. Sutton, Acting Mayor

Attest:

Rachel Wickham, Recording Secretary