

**AN ORDINANCE REPEALING OCEAN VIEW CODE §§ 210-10.1 AND 210-11,
AND SUBSTITUTING IN LIEU THEREOF A
NEW § 210-11 ENTITLED STOPPING STANDING OR PARKING**

**BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN
OF OCEAN VIEW:**

Section 1. Amend Ocean View Code by deleting Section 210-10.1 “Parking prohibited by signage” and Section 210-11 “Parking near crosswalks” and inserting in lieu thereof the following:

§ 210-11. Stopping, standing or parking.

(a) Upon any highway, as defined in Title 21 of Delaware Code, no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the roadway, except when necessary to avoid conflict with other traffic or where it is necessary for public utility vehicles to temporarily stop along the highway to make alterations in or repairs to utility facilities, so long as proper traffic-control devices are posted or where it is in compliance with the directions of a police officer or traffic-control device.

(b) Whenever any member of the Ocean View Police finds a vehicle standing upon the highway in violation of subsection (a), (e) or (f) of this section, the authorized person may move such vehicle or require the driver or other person in charge of the vehicle to move same to a position off the highway.

(c) Any person authorized to issue a summons under this title is hereby authorized to remove or cause to be removed any unattended vehicle illegally left standing upon any highway or bridge in such a position or under such circumstances as to obstruct the normal movement of traffic.

(d) Subsections (a) and (b) of this section shall not apply to the driver of any vehicle which is disabled while on the roadway in such a manner and to such an extent that it is impossible to avoid stopping and temporarily leaving such vehicle in such position.

(e) No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

- (1) on a sidewalk;
- (2) in front of a public or private driveway;
- (3) within an intersection;
- (4) within 15 feet of a fire hydrant;
- (5) on a crosswalk;
- (6) within 20 feet of a crosswalk;
- (7) within 30 feet upon the approach to any flashing beacon, stop sign or traffic-control signal;
- (8) alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic;
- (9) upon the roadway of any highway when it is practical to stop, stand or park off the roadway;
- (10) on the roadway side of any vehicle stopped or parked on the shoulder or at the edge or curb of a highway;
- (11) upon any bridge or other elevated structure upon a highway;

(12) at any place where official traffic-control devices prohibit stopping, standing or parking;

(13) at any place where such parking, standing or stopping obstructs the free passage of other traffic; and

(14) wherever a curb is marked yellow or a yellow line is placed at the edge of a roadway or shoulder.

(f) No person driving or in charge of a vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key and effectively setting the brake thereon and, when standing upon any grade, turning the front wheels to the curb or side of the highway.

(g) No person shall move a vehicle not lawfully under the person's control into such prohibited area or away from a curb such distance as is unlawful.

(h) Every vehicle stopped or parked upon a 2-way roadway shall be so stopped or parked with the right-hand wheels parallel to and within 12 inches of the right-hand curb or outside edge of the shoulder.

(i) Every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within 12 inches of the right-hand curb or outside edge of the shoulder, or its left wheels within 12 inches of the left-hand curb or outside edge of the shoulder.

(j) The Town Manager may cause "No Parking" signs to be erected or taken down and curbs marked yellow in areas he or she determines are appropriate. The signs may contain conditions such as time limitations, hours of applicability, weather-

related restrictions or size of vehicles. The Town Manager shall maintain a list showing the location of "No Parking" signs and curbing marked yellow and may formulate a written policy for designating and amending such areas.

(k) A summons or violation notice may be attached to any unattended vehicle found in violation of any of the provisions of this article by any police officer authorized to issue summonses or violation notices in lieu of arrest of the operator of such vehicle. A separate summons or violation notice for the same violation may be issued three hours after an earlier summons or violation notice has been attached to a vehicle. Each such summons or violation notice shall be deemed a separate offense.

(l) The provisions of this article shall not be applicable to the following motor vehicles:

A. Motor vehicles of public utilities when on the business of the public utility.

B. Motor vehicles of any governmental agency when on governmental business.

C. Emergency vehicles.

D. Motor vehicles of the Town while on official business.

E. Service vehicles while the drivers thereof are actually providing services on or to nearby premises.

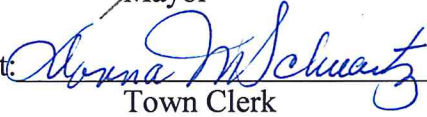
F. Vehicles of health and religious practitioners while such practitioners are performing or providing services in nearby premises.

Section 2. This ordinance shall become effective upon its adoption by a majority of the members of the Town Council present and voting.

TOWN OF OCEAN VIEW

By: 
Mayor

Adopted: March 8, 2016

Attest: 
Town Clerk

Synopsis

This Ordinance repeals OV Code §§ 210-10.1 and 210-11 and replaces them with comprehensive parking ordinance that use language from the Delaware Code “Rules of Road” appearing in Title 21.

The Town Manager retains the authority to designate areas by signage or has the additional authority to mark curbs in yellow for additional no parking zones.

- [DLS Draft 11-17-15]
- [DLS Rev 11-19-15]
- [DLS Rev 12-17-15]
- [DLS Rev 01-08-16]
- [DLS Rev 01-11-16]