

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. 4927

AN ORDINANCE AMENDING SECTION 8-1003 OF ARTICLE 8-10
OF CHAPTER 8 OF THE FARGO MUNICIPAL CODE RELATING TO
THE TRAFFIC CODE

WHEREAS, the electorate of the city of Fargo has adopted a home rule charter in accordance with Chapter 40-05.1 of the North Dakota Code; and,

WHEREAS, Section 40-05.1-06 of the North Dakota Century Code provides that the City shall have the right to implement home rule powers by ordinance; and,

WHEREAS, Section 40-05.1-05 of the North Dakota Century Code provides that said home rule charter and any ordinances made pursuant thereto shall supersede state laws in conflict therewith and shall be liberally construed for such purposes; and,

WHEREAS, the Board of City Commissioners deems it necessary and appropriate to implement such authority by the adoption of this ordinance;

NOW, THEREFORE,

Be It Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. Amendment.

Section 8-1003 of Article 8-10 of Chapter 8 of the Fargo Municipal Code is hereby amended to read as follows:

8-1003. Stopping, standing, or parking prohibited in specified places.--No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the law or the directions of a police officer or traffic-control device, in any of the following places:

- A. On a sidewalk.
- B. Within an intersection.
- C. In front of a public or private driveway, including parking so as to encroach on the radius of said driveway.
- D. Within 10 feet of that portion of a curb which is directly in front of an adjacent fire hydrant.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. 4927

- E. On a crosswalk.
- F. Within 10 feet of a crosswalk at an intersection.
- G. Within 15 feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway.
- H. Between a safety zone and the adjacent curb or within 15 feet of points on the curb immediately opposite the ends of a safety zone, unless the state highway department or local authority indicates a different length by signs or markings.
- I. Within 15 feet of the nearest rail of a railroad crossing.
- J. 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 said entrance when properly signposted.
- K. In any space which is designated and appropriately marked, in accordance with N.D.C.C. 39-01-15(9), for use by mobility-impaired persons; provided, that this prohibition shall not apply to any person whose automobile displays the distinguishing certificate or insignia which is issued by the state of North Dakota in accordance with § 39-01-15, N.D.C.C. The provisions of this ordinance shall extend to all such marked parking spaces which are generally open to the public, whether public or privately owned.
 - (1) Whenever any public or private entity designates parking spaces for use by motor vehicles operated or used by mobility-impaired persons, those reserved spaces must comply with the requirements set forth in N.D.C.C. 39-01-15 (9) and any entity which violates said requirements is guilty of an infraction if the entity does not comply with said requirements within sixty days after receiving official notification of the violation.
- L. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic.
- M. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- N. Upon any bridge or other elevated structure on a street or highway or within a street or highway tunnel.
- O. At any place where official signs prohibit stopping.
- P. In any designated parking lot on that portion of the campus of North Dakota

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. 4927

State University which is located within the corporate limits of the city of Fargo, unless the parking permit which is required by North Dakota State University regulations is prominently displayed on such vehicle in accordance with university regulations.

- Q. ~~Any fire lane designated in accordance with subsection (D) of § 9-0707 of the Revised Ordinances of 1965 of the city of Fargo~~ lane designated a fire lane by the fire chief.
- R. In front of or in any alley.
- S. In the front yard of any property within the city of Fargo (except as otherwise allowed by § 20-0701 of the Fargo Municipal Code). The penalty for violation of this subsection shall be in addition to the remedy provided in § 11-0402 of the Fargo Municipal Code.

Section 2. Effective Date.

This ordinance shall be in full force and effect from and after its passage and approval.

s/
Dennis R. Walaker, Mayor

Attest:

s/
Steven Sprague, City Auditor

First Reading: 7-21-14
Second Reading: 8-4-14
Final Passage: 8-4-14