

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING
AMENDING AND REENACTING ARTICLE 361.03 OF THE
CODIFIED ORDINANCES OF THE CITY OF WHEELING,
ENTITLED PROHIBITED STOPPING, STANDING OR PARKING
PLACES

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHEELING:

Section 1. The Council of the City of Wheeling does hereby amend and readopt Article 1535, entitled Prohibited Stopping, Standing or Parking Places, of the Codified Ordinances of the City of Wheeling, as amended as follows:

361.03 PROHIBITED STOPPING, STANDING OR PARKING PLACES.

(a) No person shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with law or 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 fifteen feet of a fire hydrant;
- (5) On a crosswalk;
- (6) Within twenty feet of a crosswalk at an intersection;
- (7) Within thirty feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway;
- (8) Between a safety zone and the adjacent curb or within such distance of points on the curb immediately opposite the ends of a safety zone as the Traffic Commission shall indicate by signs;
- (9) Within fifty feet of the nearest rail of a railroad crossing. (WVaC 17C-13-3)
- (10) Within such distance of the driveway entrance or roadway opposite the entrance to any fire station as may be specified by the Traffic Commission, provided that such distance shall not conflict with State law provisions. (Ord. 7234. Passed 4-21-81.)
- (11) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
- (12) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- (13) Upon any bridge or other elevated structure upon a street or highway or within a street or highway tunnel;
- (14) At any place where signs prohibit stopping, standing or parking, or where the curbing or street is painted yellow or red, or at any place in excess of the maximum time limited by signs;
- (15) Within twenty feet of any mail receptacle served regularly by a carrier using a motor vehicle for daily deliveries, if such parking interferes with or causes delay in the carrier's schedule;
- (16) Upon any controlled-access highway;
- (17) At any place on any street or highway where the safety and convenience of the traveling public is thereby endangered. (WVaC 17C-13-3)

- (18) Over or across any lines or marks established by the City to indicate parking spaces.
- (19) Within such distance from the intersection of curb lines, or, if none, then within the intersection of property lines at an intersection except at alleys, as the Traffic Commission shall indicate by signs or painted lines.
- (20) Where parking meters are covered by "No Parking" hoods; **provided, however, that no such "No Parking" hoods shall be installed in any non-residentially zoned districts as established by the Municipal Planning and Zoning Code within a one-hundred (100) foot radius of any retail storefront without first providing the owner of said establishment with notice of said parking restrictions at least one (1) full business day in advance thereof; and provided further, however, that this notice requirement shall not apply (i) for regularly recurring events, including, but not limited to holiday parades, footraces, festivals, etc. that are publicized in advance, (ii) in situations where the City Manager and/or the Assistant City Manager determine that public safety or any emergency situations dictate otherwise, or (iii) in such limited circumstances involving public works projects where the timing of said work is critically dependent upon the weather or other factors not reasonably foreseeable; and provided, further, that in all instances in which the requirement of one (1) full business day notice is not required under this section, a good faith effort shall be made to provide as much notice as is reasonably practicable. This provision is separate and independent of 363.16 however both sections may be applicable. See section 363.16 entitled Parking Meter Rental.**
- (21) In front of a wheelchair accessible ramp or curb cut which is part of a sidewalk designed for use by the general public when the ramp or curb cut is properly marked with blue paint.
- (b) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful. (WVaC 17C-13-3)