

ORDINANCE NO. 16-36

AN ORDINANCE ENACTING CHAPTER 10.18 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO IDLING OF VEHICLES.

BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL:

Section 1. Purpose. The purpose of this Ordinance is to enact Chapter 10.18 of the Murray City Municipal Code relating to Idling of Vehicles.

Section 2. Enactment of Chapter 10.18 of the Murray City Municipal Code. Chapter 10.18 of the Murray City Municipal Code relating to the Idling of Vehicles shall be enacted to read as follows:

CHAPTER 10.18 IDLING OF VEHICLES

- 10.18.010 Purpose:**
- 10.18.020 Definitions:**
- 10.18.030 Property Subject to this Chapter; Enforcement:**
- 10.18.040 Idling Restrictions within City Limits:**
- 10.18.050 Penalties:**

10.18.010 PURPOSE:

The purpose of this chapter is primarily educational, as well as to protect the public health and improve the environment by reducing emissions while conserving fuel.

10.18.020 DEFINITIONS:

For the purposes of this chapter, the following definitions shall apply:

“Driver” means any person who drives, operates, or is in actual physical control of a vehicle.

“Idle” means the operation of a vehicle engine while the vehicle is stationary or not in the act of performing work or its normal function.

“Vehicle” means any self-propelled vehicle that is required to be registered and have a license plate by the Utah Department of Motor Vehicles.

10.18.030 PROPERTY SUBJECT TO THIS CHAPTER; ENFORCEMENT

- A. This chapter shall be enforceable on all public property within the City.

- B. Law enforcement personnel shall exercise reasonable caution and utilize customary safety procedures in their enforcement of this chapter.

10.18.040 IDLING RESTRICTIONS WITHIN CITY LIMITS

No driver, while operating a vehicle on any public property within the City, shall cause or permit a vehicle's engine to idle for more than two (2) minutes, except for the following forms of idling:

- A. Idling while stopped:
 - 1. For an official traffic control device;
 - 2. For an official traffic control signal;
 - 3. At the direction of a police officer or other emergency or public safety personnel.

- B. Idling as needed to operate heaters or air conditioners where the temperature is below thirty two degrees Fahrenheit (32° F) or above ninety degrees Fahrenheit (90° F), as measured at the Salt Lake City Airport and determined by the National Weather Service, for the health or safety of a driver or passenger, including service animals.

- C. Idling for the minimum amount of time required for the operation of defrosters or other equipment to clear the windshield and windows to provide unobstructed views and ensure visibility when driving.

- D. Idling as needed for emergency vehicles to operate equipment.

- E. Idling as needed to ascertain that a vehicle is in safe operating condition and equipped as required by all provisions of law, and that all equipment is in good working order, either as part of the daily vehicle inspection, or as otherwise needed.

- F. Idling as needed for testing, servicing, repairing, installation, maintenance or diagnostic purposes.

- G. Idling for the period recommended by the manufacturer to warm up or cool down a turbocharged heavy duty vehicle.

- H. Idling as needed to operate auxiliary equipment for which the vehicle was primarily designed or equipped, other than transporting goods, such as: operating a transportation refrigeration unit (TRU), lift, crane, pump, drill, hoist, ready mixed equipment, except a heater or air conditioner.

- I. Idling as needed to operate a lift or other piece of equipment designed to ensure safe loading and unloading of goods or people.

- J. Idling to recharge a battery or other energy storage unit of a hybrid electric vehicle.
- K. Idling as needed for vehicles that house K-9 or other service animals.
- L. Idling by on duty police officers, and fire and emergency response personnel as necessary for the performance of their official duties.

10.18.050 PENALTIES:

A. A violation of this chapter is an infraction and shall be penalized as follows:

1. First three (3) offenses within twenty-four months: a warning but no fine.
2. Subsequent violations, meaning four or more violations within twenty-four months, shall be subject to a fine which shall be calculated based upon the State bail schedule for parking violations.

Section 3. Effective date. This Ordinance shall take effect upon first publication.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this 18th day of October, 2016.

MURRAY CITY MUNICIPAL COUNCIL





D. Blair Camp, Chair

ATTEST:



Jennifer Kennedy, City Recorder

Transmitted to the Office of the Mayor of Murray City on this 29 day of October, 2016.

MAYOR'S ACTION: Approved

DATED this 24 day of Oct., 2016.

David Ted Eyre
David Ted Eyre, Mayor

ATTEST:

Jennifer Kennedy
Jennifer Kennedy, City Recorder



CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance or a summary hereof was published according to law on the 28 day of OCTOBER, 2016.

Jennifer Kennedy
Jennifer Kennedy, City Recorder