

## Exhibit "A"

### **351.17 - OVERNIGHT PARKING OF COMMERCIAL VEHICLES**

(a) No commercial vehicle shall be parked in residential districts on any street or alley within the City limits between the hours of 7PM and 7AM. However, this section shall not apply to motor vehicles registered as commercial vehicles that have a gross vehicle weight not exceeding 10,000 pounds, limited to two axle construction and a limit of four wheels. In addition, those vehicles used for conveying the necessary tools and materials to the premises where labor is being performed and the use of such tools and materials are required, shall be permitted, provided they are not parked or left standing for a period not to exceed twelve hours. In addition, those commercial vehicles or trailers, being loaded or unloaded, used to deliver or hoist property or merchandise for the completion of delivery shall be permitted, if such loading or unloading, or other activity referred to in this section is conducted diligently and without unnecessary delay. This section shall not apply to commercial vehicles or buses conveying passengers to any public meeting, assembly, church, convention or entertainment during the actual session of a public meeting, assembly, church, convention or entertainment.

(b) No person shall park or permit to remain parked, a wrecker or tow truck on any street in the City except when continuously and actively engaged in loading or unloading another vehicle or performing emergency vehicle repair service.

#### (c) Definitions

(1) Commercial vehicle. "Commercial vehicle" means any vehicle having motor power designed and used for carrying merchandise or freight [ref. 4501.01 (J)] or vehicle with current state issued license plates attached with the designation "truck" or "commercial" or any vehicle including a trailer, used for the hauling of any machinery, device, materials or equipment in connection with a commercial enterprise, whether such vehicle is marked or identified by lettering, symbols or signs relating to such commercial purpose or enterprise or not having attached thereto a state issued license plate with the designation "truck" or "commercial vehicle".

(2) Parking. "Parking", "parked" or "park" means the stopping or standing of vehicles whether or not occupied, other than temporarily for the purpose of and while actively engaged in loading or unloading merchandise or passengers.

(3) For purposes of this section, "wrecker" or "tow truck" means every motor vehicle which is designed to tow or transport any other motor vehicle by means of pulling or dragging or carrying the other vehicle behind the wrecker or tow truck which is doing such pulling or dragging or carrying. Said towed vehicle can be self-supporting, carried on a dolly type platform, or be supported on any other item necessary to facilitate such towing.

#### (d) Penalties.

Whoever violates any provision of this Section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.