
Provo man invokes Constitution to fight parking ticket

Posted by micarpir - 2008/07/23 00:32

This thread discusses the Content article: Provo man invokes Constitution to fight parking ticket

he is joking

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Re:Provo man invokes Constitution to fight parking

Posted by DonCarlos - 2008/07/23 03:28

No I'm not.

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Re:Provo man invokes Constitution to fight parking

Posted by DonCarlos - 2008/07/23 03:28

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Re:Provo man invokes Constitution to fight parking

Posted by Wren - 2008/07/23 03:33

Once the man loses his court case, as he will, the judge should sentence him to alternative school to retake civics.

What a waste of taxpayer money.

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Re:Provo man invokes Constitution to fight parking

Posted by Just Reading - 2008/07/23 03:45

"LOL" I think it's funny "LOL"

I also wish DonCarlos the best of luck, the parking law in Provo sucks.....

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Re:Provo man invokes Constitution to fight parking

Posted by kavino - 2008/07/23 03:46

hahah... no he's really not joking. MICARPIR, you must work for The City of Provo, or University Parking Enforcment... if so, NO ONE likes you.

I am sadistic, however usually not laughing when I awake to a parking citation citing that I have parked within the 20' from the curb when I do not currently have on hand at any given time a tape measure to verify. Its also not very funny, or a joke when my friends from out of town receive parking citations, temporarily passing by. I agree with Wells that it is an added worry that could easily be avoided and the small fines seem like a great solution so that the city will not be "bothered", and not have to worry about keeping its students (atleast 70% of population) happy. My favorite is how we were issued a citation in regards to not having current registration on a newly purchased vehicle. The vehicle was not even parked on the street, however in OUR driveway, on public property.

I do feel, along with several other college students like myself, that parking is an issue that could easily get out of hand, we understand it DOES need to be enforced, are grateful it is controlled, don't want to do away with it, however it seems like MORE of a happy medium needs to be met.

There are NO warnings, and Wells makes an excellent point that the ticket value of \$10, or even \$30 is an amount that is easily paid, in contrast to the HASSLE, and time needed to "fight" them in court.

It seems like the City of Provo is doing an excellent job of ensuring that the college areas, like the area near Foothill Drive are not being cluttered with non-residents parking wherever they want. They are obviously FAILING at informing its residents of potential citations, rather doing an EXCELLENT job of PENALIZING us for not following them.

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Re:Provo man invokes Constitution to fight parking

Posted by Wren - 2008/07/23 03:52

Follows the rules, quit whining, and don't be a crybaby.

=====

Re:Provo man invokes Constitution to fight parking

Posted by DonCarlos - 2008/07/23 04:08

Hey Wren, it's me again.

So if the city passes a law condemning your home without cause, and forcing you out, you should "Follows the rules, quit whining, and don't be a crybaby."?

If a law violates the Constitution (as this one does) it does not matter how small it may seem.

Just because the city did something, doesn't mean that they have the authority to do it or make it right. It's sad that I'm standing up for what's right instead of continuously forking over my hard-earned money and you have a problem with that. You really ought to talk to the residents on that street like Mr. Knudson who's family recently held a bridal shower and had several of his guests get cited and fined.

Wake up Wren. This is not the former USSR. I don't care how insignificant it may seem to you or others. I do not need big brother's permission to visit with my friends or family.

Did you even know that they limited the number of permits per household? And that you have to pay to get more? Try holding a birthday party, or a ward activity (for the sake of the argument I'm going to assume you're LDS).

Maybe you're content to live in a world where you have to ask permission to conduct your daily life. But I'm a free man and I'm not giving that up for anything.

=====

Re:Provo man invokes Constitution to fight parking

Posted by Just Reading - 2008/07/23 04:11

Wren wrote:

Follows the rules, quit whining, and don't be a crybaby.

Wren is this you or has Dubbs hi-jacked your membership and name.... because this sounds more like what Dubbs would say then you...!!!:)

=====

Re:Provo man invokes Constitution to fight parking

Posted by kavino - 2008/07/23 04:15

Hey Wren

Your insightful replies give you tons of credibility, and everyone reading this can tell you have thought a lot about the subject matter. I can't wait for your next extremely intelligent, thoughtful, non-one sided, and non-conforming short

sentence.

Re:Provo man invokes Constitution to fight parking

Posted by kavino - 2008/07/23 04:15

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Re:Provo man invokes Constitution to fight parking

Posted by kavino - 2008/07/23 04:23

Your insightful replies give you tons of credibility

hey look Wren, I can ALSO quote MYSELF, again, tons of credibility. Do you offer a debate class near by?

Point is Wren, you obviously have no friends that would ever want to park at, or even near your house.

Re:Provo man invokes Constitution to fight parking

Posted by Just Reading - 2008/07/23 04:32

kavino wrote:

Hey Wren

Your insightful replies give you tons of credibility, and everyone reading this can tell you have thought a lot about the subject matter. I can't wait for your next extremely intelligent, thoughtful, non-one sided, and non-conforming short sentence.

Hey kavino

I think you need to back off...
because you don't sound very intelligent and you do sound very one sided...

Your big mouth is stigmatizing what DonCarlos is doing, worse then what Wren has wrote about it...

Re:Provo man invokes Constitution to fight parking

Posted by kavino - 2008/07/23 04:35

i was only addressing the one sided comment. Your statement is based off of one example.
great job, do you feel really validated, or do you feel like you just wasted a BUNCH of your time, like you should?

Re:Provo man invokes Constitution to fight parking

Posted by kavino - 2008/07/23 04:37

and no i will never back off, and now even more so just in SPITE of you! lol

Re:Provo man invokes Constitution to fight parking

Posted by Just Reading - 2008/07/23 04:37

kavino wrote:

i was only addressing the one sided comment. Your statement is based off of one example.

great job, do you feel really validated, or do you feel like you just wasted a BUNCH of your time, like you should?

Who are you talking too!!

Me or Wren????

=====

Re:Provo man invokes Constitution to fight parking ticket

Posted by Blake - 2008/07/23 04:45

That's right Wren, let's punish an American citizen for exercising his rights. Or let's attempt to demean him or make him look like some sort of whiny child for taking exception to a law that punishes the very demographic that is the lifeblood of your dear little Provo.

Heaven forbid that a man would want his voice to be heard, right or wrong. Perhaps you were unaware that as American citizens, we are entitled to disagree with decisions made by our government, and that it is our duty as responsible citizens to stand up for our beliefs and opinions? Have you recently visited a country whose government told their people, "Follow the rules and quit being a crybaby", or seen a peaceful protest crushed by heavily-armed riot police? I have, and as long as we have people like Mr. Wells standing in defense of their rights, we will not see the same thing in our own country.

As a member of our nation's Armed Forces, a proud son and grandson of veterans, and a descendant of men who have laid down their very lives in defense of your right to have an opinion, I commend DonCarlos for making use of the liberties afforded us by our Constitution. With his small decision to voice his opinion, DonCarlos is honoring his country, and those who have died for it, more than a sheep like you ever will, and I thank him for it.

=====

Re:Provo man invokes Constitution to fight parking

Posted by kavino - 2008/07/23 04:45

You definitely got your name right "just reading".

Inference skills are definitely lacking.

=====

Re:Provo man invokes Constitution to fight parking

Posted by Just Reading - 2008/07/23 04:46

kavino wrote:

and no i will never back off, and now even more so just in SPITE of you! lol

Well if you want to act childish "Then go for it" I don't care!!!

I just thought it would serve better what DonCarlos is trying to do if you acted more like an adult like he did.. But hey if you want to be immature and fight with Wren, then I won't stop you...

BUT you will just take the focus off of the good fight DonCarlos is starting with Provo City...

I'm Sorry I thought you were on DonCarlos side...

=====

Re:Provo man invokes Constitution to fight parking

Posted by Just Reading - 2008/07/23 04:50

kavino wrote:

You definitely got your name right "just reading".

Inference skills are definitely lacking.
like you know anything about logic "LOL"
and your maturity is most lacking....

=====

Re:Provo man invokes Constitution to fight parking

Posted by Blake - 2008/07/23 04:55

Dear Just Reading,

Before you suggest that others sound unintelligent, or lack your own rapier wit, perhaps you should learn to use correct spelling and punctuation...just a thought.

=====

Re:Provo man invokes Constitution to fight parking

Posted by kavino - 2008/07/23 05:00

just reading...

i would say that too if my feelings were hurt, its ok. keep on wasting your time. Lots of Logic in that. by the way, you quoted, lol?? haha... you are too funny. A smart person would understand that maturity has nothing to do with intellect or logic.

anyways, i am not posting these comments to get in petty arguments over semantics. Hopefully you are supporting Wells in this case and it can move forward. If not, then great. have fun being "logical" and "intelligent" highlighting some more quotes from the "immature" and "illogical" person you keep quoting.

=====

Re:Provo man invokes Constitution to fight parking ticket

Posted by Just Reading - 2008/07/23 05:06

Blake wrote:

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Heaven forbid that a man would want his voice to be heard, right or wrong. Perhaps you were unaware that as American citizens, we are entitled to disagree with decisions made by our government, and that it is our duty as responsible citizens to stand up for our beliefs and opinions? Have you recently visited a country whose government told their people, "Follow the rules and quit being a crybaby", or seen a peaceful protest crushed by heavily-armed riot police? I have, and as long as we have people like Mr. Wells standing in defense of their rights, we will not see the same thing in our own country.

As a member of our nation's Armed Forces, a proud son and grandson of veterans, and a descendant of men who have laid down their very lives in defense of your right to have an opinion, I commend DonCarlos for making use of the liberties afforded us by our Constitution. With his small decision to voice his opinion, DonCarlos is honoring his country, and those who have died for it, more than a sheep like you ever will, and I thank him for it.

Good post Thanks Blake

But you did cheapen it with the name calling at the end,
you don't know Wren or his family, they may have served in our nation's Armed Forces as well,
Wren has just as much a right to voice his opinion as do you, even if you and I, disagree with him,

Blake you have shown yourself to be a good mature man in serving our country, now show it here in your writing as well... Don't sell yourself short by calling others names....

Thanks...)

=====

Re:Provo man invokes Constitution to fight parking

Posted by Just Reading - 2008/07/23 05:11

kavino wrote:
just reading...

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I know you are new to this site,
but all of the Daily Herald posters quote the other persons post so that they know we are responding to that post,

=====

Re:Provo man invokes Constitution to fight parking ticket

Posted by kavino - 2008/07/23 05:14

thanks for being the referee "just reading"! You are so intellectual, insightful, and did I mention handsome? your smiley faces are awesome!!

=====

Re:Provo man invokes Constitution to fight parking

Posted by Just Reading - 2008/07/23 05:15

Blake wrote:
Dear Just Reading,

Before you suggest that others sound unintelligent, or lack your own rapier wit, perhaps you should learn to use correct spelling and punctuation...just a thought.

LOL it is late and I have been up all night, who gives a sh*t about spelling and punctuation Blake your friend kavino never capitalizes his I's but who cares....

=====

Re:Provo man invokes Constitution to fight parking ticket

Posted by Just Reading - 2008/07/23 05:21

kavino wrote:
thanks for being the referee "just reading"! You are so intellectual, insightful, and did I mention handsome? your smiley faces are awesome!!

I guess you just can't stop being an a**hole..!!

Please don't go with DonCarlos to court,
I'm hoping he wins,
He doesn't need some a**hole like you going with him.....

=====

Re:Provo man invokes Constitution to fight parking

Posted by Wren - 2008/07/23 05:55

Just Reading wrote:

Wren wrote:

Follows the rules, quit whining, and don't be a crybaby.

Wren is this you or has Dubbs hi-jacked your membership and name....
because this sounds more like what Dubbs would say then you...!!!:)

I am always on the side of right and the American way, John. The city makes the traffic and parking rules, not the citizens. If they don't like it, they can go to city meetings and vote the suckers out.

It's just crybabying, otherwise.

=====

Re:Provo man invokes Constitution to fight parking

Posted by Wren - 2008/07/23 05:57

kavino wrote:

and no i will never back off, and now even more so just in SPITE of you! lol

That's mature! You must be a young university or college student, lots of enery and little experience or wisdom. I do admire your energy and passion.

=====

Re:Provo man invokes Constitution to fight parking

Posted by mom - 2008/07/23 07:08

It takes no "hassle" to put 10 bucks in an envelope and send it to the address on the ticket.

It is his right to fight but I doubt he will get anywhere with it.

=====

Re:Provo man invokes Constitution to fight parking

Posted by d.train - 2008/07/23 09:08

You rock my world Don Carlos. I freaking love it.

=====

Re:Provo man invokes Constitution to fight parking

Posted by Dubbs - 2008/07/23 09:16

kavino wrote:

You definitely got your name right "just reading".

Inference skills are definitely lacking.

:laugh:

=====

Re:Provo man invokes Constitution to fight parking

Posted by Dubbs - 2008/07/23 09:21

Just Reading wrote:

Blake wrote:

Dear Just Reading,

Before you suggest that others sound unintelligent, or lack your own rapier wit, perhaps you should learn to use correct spelling and punctuation...just a thought.

LOL it is late and I have been up all night, who gives a sh*t about spelling and punctuation Blake your friend kavino never capitalizes his I's but who cares....

Yea, that's it, your just "tired" :woohoo: You must be tired all the time. :laugh:

=====

Re:Provo man invokes Constitution to fight parking

Posted by The Keeper - 2008/07/23 09:30

"The prosecutor and the judge were both kind of dumbfounded. The prosecutor actually laughed," Wells said.

Hey Wells! Ever heard the phrase, "what's in your wallet?".

I'm surprised BOTH the judge and the prosecutor didn't laugh their backsides off!

The usual response from the judge is "aw shut up dummy" or "bring up the constitution again and you'll be held in contempt of court". The defendant is usually clueless at that point as to why the judge said that.

"Assembly" is not the issue here. You had your "assembly", but you chose a highly regulated means, volunteered into by you, to travel to that "assembly."

I would wager that you walked into that courtroom with evidence of consent to be regulated, commonly referred to as a driver license, in your back pocket, said "uh, constitution!", yet still don't have a clue about the duties, contractual and quasi-contractual obligations associated with voluntarily requesting government privileges and benefits. Although, knowledge is presumed when you signed on the dotted line and agreed to be bound by all of the terms, conditions, statutes, ordinances, and administrative rules.

In differentiating the rights between an individual and a corporation, the US Supreme Court stated: " are of the opinion that there is a clear distinction in this particular between an individual and a corporation, and that the latter has no right to refuse to submit its books and papers for an examination at the suit of the state. The individual may stand upon his constitutional rights as a citizen. He is entitled to carry on his private business in his own way. His power to contract is unlimited. He owes no duty to the state or to his neighbors to divulge his business, or to open his doors to an investigation, so far as it may tend to criminate him. He owes no such duty to the state, since he receives nothing therefrom, beyond the protection of his life and property. His rights are such as existed by the law of the land long antecedent to the organization of the state, and can only be taken from him by due process of law, and in accordance with the Constitution. Among his rights are a refusal to incriminate himself, and the immunity of himself and his property from arrest or seizure except under a warrant of the law. He owes nothing to the public so long as he does not trespass upon their rights. (emphasis added) HALE v. HENKEL, 201 U.S. 43 (1906).

So, Wells. How many "constitutional rights" have you converted to contract and quasi-contract by way of government privilege and benefits? Can you say "equity" courts?

Do you use terms such as, "driver", "operator", "traffic", etc., when going to visit grandma? Do you understand that those terms have long referred to using the public highways to engage in trade, commerce, and industry?

Bouvier's Law Dictionary was the official law dictionary used by Congress until they switched to Blacks Law Dictionary in the 1930s.

"DRIVER. One employed in conducting a coach, carriage, wagon, or other vehicle, with horses, mules, or other animals." (emphasis added) Bouvier's Law Dictionary, Revised Sixth Edition, 1856.

"TRAFFIC. Commerce, trade, sale or exchange of merchandise, bills, money and the like." (emphasis added) Bouvier's Law Dictionary, Revised Sixth Edition, 1856.

"OPERATOR" is defined as one who drives a team of horses or mules for hire in more recent Bouvier's Law dictionaries such as the 1914 edition.

Perhaps you should go back to UVU and ask your instructors why students are not taught the legal consequences of voluntarily requesting government priveleges and benefits. Or, "how do I convert my constitutional status to contract and drown in a sea of equity?"

Re:Provo man invokes Constitution to fight parking

Posted by Blondie - 2008/07/23 09:41

Dubbs wrote:

Just Reading wrote:

Blake wrote:

Dear Just Reading,

Before you suggest that others sound unintelligent, or lack your own rapier wit, perhaps you should learn to use correct spelling and punctuation...just a thought.

LOL it is late and I have been up all night, who gives a sh*t about spelling and punctuation Blake your friend kavino never capitalizes his I's but who cares....

Yea, that's it, your just "tired" :woohoo: You must be tired all the time. :laugh:

Your excuse is always "I am typing too fast". You have also said you do not care if you spell or punctuate correctly. :huh: So why are you on JR'S back.....:ohmy:

(hand up and jumping in seat)OOOOHHHHHHH I know To just start a fight and argue.....Too funny!!!!
:laugh: :laugh: :P

Re:Provo man invokes Constitution to fight parking

Posted by FeloniousMonk - 2008/07/23 10:32

DonCarlos wrote:

Hey Wren, it's me again.

So if the city passes a law condemning your home without cause, and forcing you out, you should "Follows the rules, quit whining, and don't be a crybaby."?

If a law violates the Constitution (as this one does) it does not matter how small it may seem.

Just because the city did something, doesn't mean that they have the authority to do it or make it right. It's sad that I'm standing up for what's right instead of continuously forking over my hard-earned money and you have a problem with that. You really ought to talk to the residents on that street like Mr. Knudson who's family recently held a bridal shower and had several of his guests get cited and fined.

Wake up Wren. This is not the former USSR. I don't care how insignificant it may seem to you or others. I do not need big brother's permission to visit with my friends or family.

Did you even know that they limited the number of permits per household? And that you have to pay to get more? Try holding a birthday party, or a ward activity (for the sake of the argument I'm going to assume you're LDS).

Maybe you're content to live in a world where you have to ask permission to conduct your daily life. But I'm a free man and I'm not giving that up for anything.

You're right, this isn't the USSR, this is a place where residents can vote to control their own neighborhood.

You think this is the City penalizing you, it's not--it's your friends neighbors doing it. The only reason this parking permit program is in place is because the residents (or the residents who vote) demanded it.

This is not a revenue stream. The program probably barely pays for itself, if at all. The reason the fines are ten bucks is because the City probably found that to be the lowest price that would still have an effect on people's behavior. If the City were really after money here, they would be fining you a lot more.

If you don't like the program, either convince your friend to vote or to move. I agree with Prof. Geddis in the article--you have no case.

=====

Re:Provo man invokes Constitution to fight parking

Posted by Daijobu - 2008/07/23 10:51

As one who is a non-student who lives in the area I have no sympathy for all the complaining. I am very sick of my street being a parking lot. I for one didn't want the restrictions for the evening and night, but from 7am-6pm, but many other residence have problems at night.

These are just a few things I've seen over the years. Students (who else parks grabs a back pack and walks toward campus) have parked in front of my DRIVEWAY - I have them towed. I've had them park in front of the fire hydrant, on the curved corner of the intersection, and (my fav) squeezing their jacked up SUV/truck in a space only big enough for a Mini between my driveway and the people next door. They go WAY over the 25MPH speed limit, they pass slower drivers and they throw trash out the window onto my lawn. considering there is a school zone and a park in the area I don't think the city has done enough to keep people and kids in the area safe.

My family has live in this area for over 70 years and it is the increase of students that have changed the area. I have NO sympathy! When I went to school I bought a parking permit and went early to hunt for a spot. I respected the people who lived near the school and stayed out of their neighborhoods.

You would think that out of all the students in the world that those going to "the Lord's University" would be more respectful, but they are not. They are as selfish as any other. Yes I know he's from UVU, but he's in the minority in the area.

=====

Re:Provo man invokes Constitution to fight parking

Posted by GrackMarginal - 2008/07/23 11:09

The Keeper wrote:

"Assembly" is not the issue here. You had your "assembly", but you chose a highly regulated means, volunteered into by you, to travel to that "assembly."

I would wager that you walked into that courtroom with evidence of consent to be regulated, commonly referred to as a driver license, in your back pocket, said "uh, constitution!", yet still don't have a clue about the duties, contractual and quasi-contractual obligations associated with voluntarily requesting government privileges and benefits.

Ahh, Keeper. I expected better of you. Here's a thought from Federalist 23: Alexander Hamilton pointed to "axioms as simple as they are universal; the means ought to be proportioned to the end; the persons from whose agency the attainment of any end is expected, ought to possess the means by which it is to be attained."

This principle "carries its own evidence along with it... and cannot be made plainer," Hamilton wrote.

Without the means to exercise them, rights don't exist. The question at issue here is whether driving a car and parking on a public street is a means proportional to the end of assembling and associating. A newspaper has a right to publish, but cities may not prohibit the installation of news racks for distribution, precisely because the means to distribute is inherent

in the right of free press.

Re:Provo man invokes Constitution to fight parking

Posted by The Keeper - 2008/07/23 11:18

GrackMarginal wrote:

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Unfortunately, Mr. Hamilton wasn't around when Franklin "Deficit" Roosevelt declared the United States technical bankrupt and hypothecated all of the real property, goods, and services to the privately owned Federal Reserve banking cartel.

Re:Provo man invokes Constitution to fight parking

Posted by Uncle_Bud - 2008/07/23 11:27

Daijobu wrote:

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These are just a few things I've seen over the years. Students (who else parks grabs a back pack and walks toward campus) have parked in front of my DRIVEWAY - I have them towed. I've had them park in front of the fire hydrant, on the curved corner of the intersection, and (my fav) squeezing their jacked up SUV/truck in a space only big enough for a Mini between my driveway and the people next door. They go WAY over the 25MPH speed limit, they pass slower drivers and they throw trash out the window onto my lawn. considering there is a school zone and a park in the area I don't think the city has done enough to keep people and kids in the area safe.

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You would think that out of all the students in the world that those going to "the Lord's University" would be more respectful, but they are not. They are as selfish as any other. Yes I know he's from UVU, but he's in the minority in the area.

I still believe that BYU should require all of the OUT OF STATE students to leave their cars home..We have buses for them to use.

Re:Provo man invokes Constitution to fight parking

Posted by Wren - 2008/07/23 11:28

The Keeper wrote:

GrackMarginal wrote:

The Keeper wrote:

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Unfortunately, Mr. Hamilton wasn't around when Franklin "Deficit" Roosevelt declared the United States technical bankrupt and hypothecated all of the real property, goods, and services to the privately owned Federal Reserve banking cartel.

Your rebuttal is not proportional to the end of refuting the logical argument above.

ticket

Posted by Mountian Lion - 2008/07/23 11:30

eh, I think it is good. The city needs to know they can't just do whatever they want whenever they want. Yeah it is only 10 bucks today but it will be 40-50 in 4 years. I think this case would have had more weight if a resident of the area filed. I wonder what residents do when they have a guest that is going to stay the night. From the article they can buy a pass, I wonder why they need to BUY the pass, that should be free, it will be a lot more than 2 bucks in a few years. Either way I don't think he will win. But I like the challenge. I guess the real issue is why aren't guests of 7-peaks parking in their parking lot? Do they have adequate parking? Are they charging too much to park a car for the day? I bet they are. Especially, since a car will be ticketed. On a side note, I doubt 7-peaks built in a residential neighborhood, my guess is they built the park and then contractors built and sold homes/condos. When I buy a home/condo I take into consideration the surrounding area. Like a train tracks, landfill, elementary school, farm or whatever, I don't buy and then try to force change around me. I say buyer beware. If these residences purchased property knowing a swimming park existed surely they could imagine parking, noise, etc. A swimming park and residential neighborhood are two things that are difficult to have co-exist.

Re:Provo man invokes Constitution to fight parking

Posted by Betzz - 2008/07/23 11:32

Uncle_Bud wrote:

Daijobu wrote:

As one who is a non-student who lives in the area I have no sympathy for all the complaining. I am very sick of my street being a parking lot. I for one didn't want the restrictions for the evening and night, but from 7am-6pm, but many other residence have problems at night.

These are just a few things I've seen over the years. Students (who else parks grabs a back pack and walks toward campus) have parked in front of my DRIVEWAY - I have them towed. I've had them park in front of the fire hydrant, on the curved corner of the intersection, and (my fav) squeezing their jacked up SUV/truck in a space only big enough for a Mini between my driveway and the people next door. They go WAY over the 25MPH speed limit, they pass slower drivers and they throw trash out the window onto my lawn. considering there is a school zone and a park in the area I don't think the city has done enough to keep people and kids in the area safe.

My family has live in this area for over 70 years and it is the increase of students that have changed the area. I have NO sympathy! When I went to school I bought a parking permit and went early to hunt for a spot. I respected the people who lived near the school and stayed out of their neighborhoods.

You would think that out of all the students in the world that those going to "the Lord's University" would be more respectful, but they are not. They are as selfish as any other. Yes I know he's from UVU, but he's in the minority in the area.

I still believe that BYU should require all of the OUT OF STATE students to leave their cars home..We have buses for them to use.

Aren't there buses for the IN STATE students to use, too? Why don't they required all students to use the local bus system?

=====

Re:Provo man invokes Constitution to fight parking

Posted by GrackMarginal - 2008/07/23 11:33

FeloniousMonk wrote:

If you don't like the program, either convince your friend to vote or to move. I agree with Prof. Geddis in the article--you have no case.

The good BYU professor has suffered a major brain fart, IMHO. The right to assemble is not limited to assemblies aimed at petitioning the government for redress. It's an independent clause, separated by a comma and the conjunction "AND." To say otherwise makes no sense. If the two ideas dependent upon one another, then the only way to petition the government would be to assemble for that purpose.

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

People have a protected right to assemble in church bodies, at social clubs, at family picnics, for romantic dating, to visit a friend, to engage in protests at the LDS Conference Center, etc., etc., etc. The only way the government has any say over the matter is in the regulation of public safety by means of "time, place and manner" controls. An outright prohibition on assembly is unconstitutional, a principle that has been thoroughly adjudicated.

Somehow I doubt that mandatory parking permits on a public street will stand scrutiny as time/place/manner regulation.

=====

Re:Provo man invokes Constitution to fight parking

Posted by Uncle_Bud - 2008/07/23 11:36

Betzz wrote:

Uncle_Bud wrote:

Daijobu wrote:

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I still believe that BYU should require all of the OUT OF STATE students to leave their cars home..We have buses for them to use.

Aren't there buses for the IN STATE students to use, too? Why don't they required all students to use the local bus system?

It would be better if all the students used the buses!

=====

Re:Provo man invokes Constitution to fight parking

Posted by Uncle_Bud - 2008/07/23 11:36

Betzz wrote:

Uncle_Bud wrote:

Daijobu wrote:

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I still believe that BYU should require all of the OUT OF STATE students to leave their cars home..We have buses for them to use.

Aren't there buses for the IN STATE students to use, too? Why don't they required all students to use the local bus system?

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=====

Re:Provo man invokes Constitution to fight parking

Posted by Wren - 2008/07/23 11:42

GrackMarginal wrote:

FeloniousMonk wrote:

If you don't like the program, either convince your friend to vote or to move. I agree with Prof. Geddicks in the article--you have no case.

The good BYU professor has suffered a major brain fart, IMHO. The right to assemble is not limited to assemblies aimed at petitioning the government for redress. It's an independent clause, separated by a comma and the conjunction "AND."

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

People have a protected right to assemble in church bodies, at social clubs, at family picnics, for romantic dating, to visit a friend, to engage in protests at the LDS Conference Center, etc., etc., etc. The only way the government has any say over the matter is in the regulation of public safety by means of "time, place and manner" controls. An outright prohibition on assembly is unconstitutional, a principle that has been thoroughly adjudicated.

Somehow I doubt that mandatory parking permits on a public street will stand scrutiny as time/place/manner regulation.

Go back and read the statement by Alexander Hamilton, who understood the Constitution, far better than the rest of us, Grack.

He woud say, "pay the damn ticket, slacker".

=====

Re:ticket

Posted by FeloniousMonk - 2008/07/23 11:59

Mountian Lion wrote:

eh, I think it is good. The city needs to know they can't just do whatever they want whenever they want.

You don't know the whole situation. The residents in the area have been begging for a parking permit program. The City only stepped in and implemented it because the residents demanded it. This is definitely not "the city doing whatever they want whenever they want."

=====

Re:Provo man invokes Constitution to fight parking ticket

Posted by Sparkles - 2008/07/23 12:17

I lived in Foothill subdivision and we actually sold our house last year in part because of this issue. I didn't build a nice house to live in a BYU/Belmont/7-Peaks parking lot. My guess is that this guy was visiting a friend that owns one of the houses in the neighborhood that was bought by a young guy or girl in school (or more likely their parents) and then they ILLEGALLY rent rooms out to 5-6 of their friends. This area is zoned as single family housing but you would think it was an apartment complex area. Along with that comes the late night parties, people speeding down the streets and cars parked everywhere. We had hoped to move into a quiet, family neighborhood and we were sadly mistaken. I know that many of our law abiding neighbors feel the same way. I hope this dumb kid's case will spur the HOA to get the city to crack down on all the illegal housing and hopefully this guy won't have a friend to go visit there anymore.

=====

Re:Provo man invokes Constitution to fight parking ticket

Posted by iceman - 2008/07/23 13:01

Well, it is this individual's right to challenge what he believes is unfair...as do the residents have the right to have vehicles towed from their neighborhood that impede their right to access their property and homes. \$10.00 for a ticket might later seem to be a deal considering how much this youngster will be spending to make a point and get his 15 minutes of "fame".

=====

Re:Provo man invokes Constitution to fight parking

Posted by Blake - 2008/07/23 13:12

To all those of you who have nothing better to do with your lives than ridicule a man for exercising his rights, or call him names for doing something that he believes is correct, shame on you. It's pathetic and juvenile. I guess your own lives are so sad and uninteresting that your only pleasure in life comes from being petty and snide. I sincerely hope you find something better to do with your time.

=====

Re:Provo man invokes Constitution to fight parking ticket

Posted by Blake - 2008/07/23 13:15

Re:Provo man invokes Constitution to fight parking

Posted by ThomasK - 2008/07/23 13:38

DonCarlos wrote:

Hey Wren, it's me again.

So if the city passes a law condemning your home without cause, and forcing you out, you should "Follows the rules, quit whining, and don't be a crybaby."?

If a law violates the Constitution (as this one does) it does not matter how small it may seem.

Just because the city did something, doesn't mean that they have the authority to do it or make it right. It's sad that I'm standing up for what's right instead of continuously forking over my hard-earned money and you have a problem with that. You really ought to talk to the residents on that street like Mr. Knudson who's family recently held a bridal shower and had several of his guests get cited and fined.

Wake up Wren. This is not the former USSR. I don't care how insignificant it may seem to you or others. I do not need big brother's permission to visit with my friends or family.

Did you even know that they limited the number of permits per household? And that you have to pay to get more? Try holding a birthday party, or a ward activity (for the sake of the argument I'm going to assume you're LDS).

Maybe you're content to live in a world where you have to ask permission to conduct your daily life. But I'm a free man and I'm not giving that up for anything.

It's really quite simple, Don. Driving is a privilege, not a right. So anytime you drive on a public street you are subject to the laws that give you that privilege.

Park on your own property, instead of the street.

As far as having "parties", how about car pooling? Or do you think it's your right to pollute as much as possible? Take a bus? Ride a bike and park it on your own property. Nobody is stopping you from doing those things, are they? You have OTHER CHOICES, so your "rights" are not being violated, plain and simple.

=====

Re:Provo man invokes Constitution to fight parking

Posted by ThomasK - 2008/07/23 13:44

Blake wrote:

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are so sad and uninteresting that your only pleasure in life comes from being petty and snide. I sincerely hope you find something better to do with your time.

Chill out dude. They have just as much to call names and ridicule, just as you are doing right now.

I got one for YOU. Flipp'n hypocrite.

=====

Re:Provo man invokes Constitution to fight parking

Posted by Betzz - 2008/07/23 13:49

Thomask wrote:

Blake wrote:

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It's always amusing when someone uses name-calling and ridicule to chastise others for name-calling and ridiculing.
:laugh:

=====

Re:Provo man invokes Constitution to fight parking

Posted by ThomasK - 2008/07/23 13:52

Betzz wrote:

Thomask wrote:

Blake wrote:

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It's just petty and snide. ;)

=====

Re:Provo man invokes Constitution to fight parking

Posted by Betzz - 2008/07/23 13:57

Thomask wrote:

Betzz wrote:

Thomask wrote:

Blake wrote:

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:laugh:

It's just petty and snide. ;)

I, of course, would NEVER do that! ;) :laugh:

=====

Re:Provo man invokes Constitution to fight parking

Posted by aramyna - 2008/07/23 14:05

You know, the city could always put up parking meters, that's no different than having a parking permit. I do think that residents should not have to pay for their permits though.

I can understand the concerns of the residents. Obviously, not all those the may park there are causing problems but obviously enough did to merit a change.

More power to this young man in exercising his rights. Who knows what the outcome will be. Perhaps it will encourage more dialogue on the subject and a more equitable solution will be found.

=====

Re:Provo man invokes Constitution to fight parking

Posted by Blondie - 2008/07/23 14:24

Betzz wrote:

ThomasK wrote:

Betzz wrote:

ThomasK wrote:

Blake wrote:

To all those of you who have nothing better to do with your lives than ridicule a man for exercising his rights, or call him names for doing something that he believes is correct, shame on you. It's pathetic and juvenile. I guess your own lives are so sad and uninteresting that your only pleasure in life comes from being petty and snide. I sincerely hope you find something better to do with your time.

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:laugh:

It's just petty and snide. ;)

I, of course, would NEVER do that! ;) :laugh:

NEVER..... ROFL :woohoo: :woohoo: ^5^

=====

Re:Provo man invokes Constitution to fight parking

Posted by ThomasK - 2008/07/23 14:46

Betzz wrote:

ThomasK wrote:

Betzz wrote:

ThomasK wrote:

Blake wrote:

To all those of you who have nothing better to do with your lives than ridicule a man for exercising his rights, or call him names for doing something that he believes is correct, shame on you. It's pathetic and juvenile. I guess your own lives are so sad and uninteresting that your only pleasure in life comes from being petty and snide. I sincerely hope you find something better to do with your time.

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I got one for YOU. Flipp'n hypocrite.

It's always amusing when someone uses name-calling and ridicule to chastise others for name-calling and ridiculing.
:laugh:

It's just petty and snide. ;)

I, of course, would NEVER do that! ;) :laugh:

Well, you know me.... :blush:

Re:Provo man invokes Constitution to fight parking ticket

Posted by julia - 2008/07/23 14:57

Quite honestly, I whole heartedly agree with fighting this ticket. I ran in to this problem more times than I account while a student at BYU, both socially and while working as a home health nurse. There were numerous times that I had to debate between driving home when I knew I was tired to do so, or staying the night with a friend and risking receiving this \$10 or a \$50 boot on my car. Sure you can get a ticket, and choose to not pay it or to fight it, but what about when a boot comes in to play? What if I didn't have the \$50 to pay that, simply because I left a friend's a few minutes later than parking regulations applied. As a home health nurse, I had no control over how late I was to be at a patient's home without compromising their care. There was at least 1 or 2 times that I came out to find a boot in my car, thus making my days work irrelevant due to the fine to have the boot removed. I do believe that rental properties do have some right to restrict parking in certain areas, but still, most will not permit a visitor to park any later than midnight or earlier, thus what do we do with family visiting or a friend who wouldn't make it home safely if they were to drive? I'm so relieved to hear that someone has finally spoken out about one of the many issues surrounding byu and their housing guidelines and only with that I would have had the courage to do so while I was a student there.

Re:Provo man invokes Constitution to fight parking ticket

Posted by ThomasK - 2008/07/23 15:30

julia wrote:

Quite honestly, I whole heartedly agree with fighting this ticket. I ran in to this problem more times than I account while a student at BYU, both socially and while working as a home health nurse. There were numerous times that I had to debate between driving home when I knew I was tired to do so, or staying the night with a friend and risking receiving this \$10 or a \$50 boot on my car. Sure you can get a ticket, and choose to not pay it or to fight it, but what about when a boot comes in to play? What if I didn't have the \$50 to pay that, simply because I left a friend's a few minutes later than parking regulations applied. As a home health nurse, I had no control over how late I was to be at a patient's home without compromising their care. There was at least 1 or 2 times that I came out to find a boot in my car, thus making my days work irrelevant due to the fine to have the boot removed. I do believe that rental properties do have some right to restrict parking in certain areas, but still, most will not permit a visitor to park any later than midnight or earlier, thus what do we do with family visiting or a friend who wouldn't make it home safely if they were to drive? I'm so relieved to hear that someone has finally spoken out about one of the many issues surrounding byu and their housing guidelines and only with that I would have had the courage to do so while I was a student there.

Simple julie. If there are private property restrictions on parking, make arrangements with the property ahead of time.

As far as a visitor. Why stay so late if you know you are in no condition to drive?

You are talking about private property issues.

=====

Re:Provo man invokes Constitution to fight parking

Posted by Just Reading - 2008/07/23 16:13

Dubbs wrote:

Just Reading wrote:

Blake wrote:

Dear Just Reading,

Before you suggest that others sound unintelligent, or lack your own rapier wit, perhaps you should learn to use correct spelling and punctuation...just a thought.

LOL it is late and I have been up all night, who gives a sh*t about spelling and punctuation Blake your friend kavino never capitalizes his I's but who cares....

Yea, that's it, your just "tired" :woohoo: You must be tired all the time. :laugh:

Well my spelling and punctuation is a lot better then yours Dubbs :)

BTW that would be: you're just tired :woohoo: :woohoo: :woohoo:

=====

Re:Provo man invokes Constitution to fight parking

Posted by ThomasK - 2008/07/23 16:33

Just Reading wrote:

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Well my spelling and punctuation is a lot better then yours Dubbs :)

BTW that would be: you're just tired :woohoo: :woohoo: :woohoo:

LOL, that's typical dubbs. You'd think his mouth gets sore from putting his foot in it constantly.

=====

Re:Provo man invokes Constitution to fight parking

Posted by GrackMarginal - 2008/07/24 08:28

aramyna wrote:

You know, the city could always put up parking meters, that's no different than having a parking permit.

I disagree. A parking meter is a form of time/place/manner regulation that allows anyone to park without discrimination.

This is different from an outright ban on parking, or letting the government select, through permits, who can park and who can't.

=====

Re:Provo man invokes Constitution to fight parking

Posted by ThomasK - 2008/07/24 12:26

GrackMarginal wrote:

aramyna wrote:

You know, the city could always put up parking meters, that's no different than having a parking permit. I disagree. A parking meter is a form of time/place/manner regulation that allows anyone to park without discrimination. This is different from an outright ban on parking, or letting the government select, through permits, who can park and who can't.

They aren't banning driving on the streets. They are banning anyone from entering the property. There is no discrimination. There is no violation of the right to assemble. It's about parking a motor vehicle, nothing more, nothing less.

=====

Re:Provo man invokes Constitution to fight parking

Posted by Just Reading - 2008/07/24 19:04

ThomasK wrote:

GrackMarginal wrote:

aramyna wrote:

You know, the city could always put up parking meters, that's no different than having a parking permit. I disagree. A parking meter is a form of time/place/manner regulation that allows anyone to park without discrimination. This is different from an outright ban on parking, or letting the government select, through permits, who can park and who can't.

They aren't banning driving on the streets. They are banning anyone from entering the property. There is no discrimination. There is no violation of the right to assemble. It's about parking a motor vehicle, nothing more, nothing less.

Well what I heard was that several residents are just as frustrated with it as DonCarlos,

and that it turns out that it was the owner of 7 Peaks that wanted the permits to prevent people from parking in the neighborhood to avoid paying the \$7 to park in his lot.

Hmmmm makes you look at it differently now doesn't it...!!!

=====

Re:Provo man invokes Constitution to fight parking

Posted by Wren - 2008/07/25 05:20

Not really.

The streets are public, and the city, as the elected voice of the People, have the right to regulate the safety and welfare of all on those streets.

We have the obligation, by our social compact as members of this society, to obey the law, while we work to change it.

The student has the legal right to fight the ticket. But if he had obeyed the law, this would not have happened.

=====

Re:Provo man invokes Constitution to fight parking

Posted by The Keeper - 2008/07/25 06:18

Wren wrote:
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The student has the legal right to fight the ticket. But if he had obeyed the law, this would not have happened.

So you're saying Rosa Park should have shut up, obeyed the law, and continued to ride the back of the bus?

=====

Re:Provo man invokes Constitution to fight parking

Posted by Wren - 2008/07/25 06:55

This is clearly a false derivative analogy, Keep.

Some laws meet moral and ethical standards, as the street law here does. So work to change it.

=====

Re:Provo man invokes Constitution to fight parking

Posted by Just Reading - 2008/07/25 15:39

Wren wrote:
Not really.

The streets are public, and the city, as the elected voice of the People, have the right to regulate the safety and welfare of all on those streets.

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The student has the legal right to fight the ticket. But if he had obeyed the law, this would not have happened.

??? OK ???

So Wren you're just giving him a hard time because he made a mistake and broke a law...!!!

:blink: :blink:

Well I'm glad he made that mistake, now he has an easy way to bring this law out and fight it and see if it is unjust...!!!

=====

Re:Provo man invokes Constitution to fight parking

Posted by Sir John the Apostate - 2008/07/25 16:07

Wren wrote:
Not really.

The streets are public, and the city, as the elected voice of the People, have the right to regulate the safety and welfare of all on those streets.

We have the obligation, by our social compact as members of this society, to obey the law, while we work to change it.

The student has the legal right to fight the ticket. But if he had obeyed the law, this would not have happened.

Ever heard of civil disobedience?

It's part of what makes America great!

B)

=====

Re:Provo man invokes Constitution to fight parking ticket

Posted by Sparkles - 2008/07/25 16:11

To Just Reading:

As I have stated before, I lived there and I'm sure that there are a few residents that are mad about the parking situation. They are the kids that have tons of other people living illegally in their house and they don't have enough room in their driveway to fit all the cars. The rest of the neighborhood that consists of families have no problem with it because we can park our cars in our driveway. And as to your allegation that the owner of 7-peaks wanted to parking passes. That is just plain wrong. Before we moved, the Foothill HOA voted to use parking passes because we were living in a student parking lot.

=====

Re:Provo man invokes Constitution to fight parking ticket

Posted by ThomasK - 2008/07/25 16:15

None of those other issues are relevant. Don's only basis is his Constitutional right of freedom to assemble is being violated. Since the street isn't closed to the public. Since he isn't banned from having his assembly; car pool, walk, bike, hop, skip or jump to his assembly that right isn't violated. In other words, he doesn't have a snowball's chance in the Telesial Kingdom of winning, based on that argument.

=====

Re:Provo man invokes Constitution to fight parking

Posted by Marylb - 2008/07/25 16:19

DonCarlos wrote:
No I'm not.

Just out of curiosity Don, what makes this different than a group requiring a permit to, say, "gather" for anything? I think the troubling part is the loss of being a sympathetic character due to a very large sign. But the parking method is either vulnerable or not.

You do know that residential permit parking is fairly common nationwide? It might be a good idea to see how any challenges to the ordinance concluded.

Good luck to you if indeed you are onto something. I just don't see how you are yet. In the mean time, did you think to park your car in a non-restricted area and walk to your "freedom to assemble"?

=====

Re:Provo man invokes Constitution to fight parking ticket

Posted by Just Reading - 2008/07/25 19:54

Sparkles wrote:
To Just Reading:

As I have stated before, I lived there and I'm sure that there are a few residents that are mad about the parking situation. They are the kids that have tons of other people living illegally in their house and they don't have enough room in their driveway to fit all the cars. The rest of the neighborhood that consists of families have no problem with it because we can park our cars in our driveway. And as to your allegation that the owner of 7-peaks wanted to parking passes. That is just plain wrong. Before we moved, the Foothill HOA voted to use parking passes because we were living in a student parking lot.

Hmmm Thanks for the info :)

I do have to ask one thing though :blink:

It's illegal to have tons of people living in your home..??? :blink: :blink:

=====

Re:Provo man invokes Constitution to fight parking ticket

Posted by Sparkles - 2008/07/25 20:27

Just Reading:

It is if they aren't related to you and your living in an area that is zoned for single family residences (like Foothill Park).

=====

Re:Provo man invokes Constitution to fight parking ticket

Posted by Sir John the Apostate - 2008/07/25 21:03

Just Reading wrote:

Sparkles wrote:

To Just Reading:

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Hmmm Thanks for the info :)

I do have to ask one thing though :blink:

It's illegal to have tons of people living in your home..??? :blink: :blink:

There are zoning restrictions in Provo. That say in certain areas, you can't have more than 3 unrelated people living in a dwelling. More of Provo's wonderful micro management. In most areas with student housing that isn't the case however.

=====

Re:Provo man invokes Constitution to fight parking ticket

Posted by Sir John the Apostate - 2008/07/25 21:06

ThomasK wrote:

None of those other issues are relevant. Don's only basis is his Constitutional right of freedom to assemble is being violated. Since the street isn't closed to the public. Since he isn't banned from having his assembly; car pool, walk, bike, hop, skip or jump to his assembly that right isn't violated. In other words, he doesn't have a snowball's chance in the Telesial Kingdom of winning, based on that argument.

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=====

Re:Provo man invokes Constitution to fight parking

Posted by DonCarlos - 2008/07/28 02:28

I haven't had time to comment on what has been written here recently.

I will answer all of what has been misinterpreted, or simply misunderstood in the next few days. Some people have made some very informed arguments for my side and I appreciate that. Unfortunately, some others have been very short-sighted and have made comments that demonstrate that their writers simply do not understand the issue.

I will say that I have received several phone calls from people who I'm not comfortable naming here, who stated emphatically that Professor Gedicks, though he may wholeheartedly believe what he said about my case, simply does not understand my argument, interpreted the law far too narrowly, and simply does not know to what he is speaking in this case. If necessary, I will call upon those people in court.

Also, I have received a phone call from Channel 2 news requesting an interview. I don't know how I will handle that because quite honestly (despite the picture here in the paper) I'm not entirely comfortable sitting down in front of a camera.

I would love to take the time right now to let people know what kind of person I am- what kind of person would "make such a big deal out of \$10" to sum up some people's thinking, but it's late and I want to go to bed.

I'll address people's arguments later- I hope everyone can keep things on a positive and logical level and avoid personal attacks because they don't further discussion at all. I hope I have kept up my end.

In closing, I came across a video today that completely sums up my view on this whole issue. In the interest of fair disclosure- it's a campaign video from a third party candidate. I hope that everyone will watch it with an open mind because I feel that it will lead to valuable discussions of important political issues in our daily lives.

Thanks everyone, especially those supporting me.

DonCarlos

<http://www.youtube.com/watch?v=NxPrULE6dUU>

PS: one final thought- if you do follow the above link, please, please, PLEASE do not think that I am trying to compare myself to those great men. I'm not. I simply believe what they believed.

Thanks again.

=====

Re:Provo man invokes Constitution to fight parking

Posted by Wren - 2008/07/28 05:38

Don Carlos, good luck on your protest.

The professor and most of us, unfortunately fully understand the law and the basis of your argument. It is fallacious, and you will fail.

However, your struggle against the system is good.

=====

Re:Provo man invokes Constitution to fight parking

Posted by megus - 2008/07/28 14:46

I wish you all the luck in the world on this.

Your fighting a long, up-hill battle. I know, I've been there and done the same thing on other aspects of the law. Too bad more people do not do the same.

The big problem you will find is that the "System" is fixed. It is way stacked against you and for the "System". They will thwart you at every turn, and rules that apply to you will not apply to them.

Good luck, and it will only be won on appeal, as you always guilty in a Utah Justice of the Peace court.

Re:Provo man invokes Constitution to fight parking

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=====

Re:Provo man invokes Constitution to fight parking

Posted by FeloniousMonk - 2008/07/28 15:05

Sir John the Apostate wrote:

Just Reading wrote:

Sparkles wrote:

To Just Reading:

As I have stated before, I lived there and I'm sure that there are a few residents that are mad about the parking situation. They are the kids that have tons of other people living illegally in their house and they don't have enough room in their driveway to fit all the cars. The rest of the neighborhood that consists of families have no problem with it because we can park our cars in our driveway. And as to your allegation that the owner of 7-peaks wanted to parking passes. That is just plain wrong. Before we moved, the Foothill HOA voted to use parking passes because we were living in a student parking lot.

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Provo's micro-management? Try just about every city in this nation's micro management. Residential zoning is extremely common, and has, in most cases, been upheld by the Supreme Court. And just like every other city with restrictive zoning, it is the RESIDENTS who have demanded it. Don't blame the city, blame your neighbors--they asked for it.

=====

Re:Provo man invokes Constitution to fight parking

Posted by DonCarlos - 2008/07/28 23:47

Wren-

I haven't failed to notice that through all your name-calling and antagonism, you haven't once pointed to or found a single flaw or error in my logic, argument, or case.

Fallacious? Then prove it.

If you can't (and trust me, you cannot), go away and leave this issue to those interested in actually solving problems and preserving their self-determination.

=====

Re:Provo man invokes Constitution to fight parking

Posted by The Keeper - 2008/07/29 06:30

What part of evidence of your consent to be regulated in the form of a driver license is it you don't understand?

Here's a clue! Ask your political science instructor why challenges to asset forfeitures in Federal District Court use the Rules of Procedure for Admiralty and Maritime law. That jurisdiction, recognized by the US Constitution, would normally only apply at the high-water mark, yet is being applied inland.

From the Declaration of Independence:

"He has combined with others to subject us to a jurisdiction foreign to our constitution..."

What happened in this country to bring Admiralty and Maritime law inland? If the Political Science department at UVU is not teaching this, then there's a serious problem with the curriculum.

=====

Re:Provo man invokes Constitution to fight parking

Posted by FeloniousMonk - 2008/07/29 08:00

DonCarlos wrote:
Wren-

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Fallacious? Then prove it.

If you can't (and trust me, you cannot), go away and leave this issue to those interested in actually solving problems and preserving their self-determination.

Name-calling? I'm not seeing any name calling from Wren. S/He has been completely civil and is only pointing out that your case has problems. If you plan on publicly fighting city hall in the future, you're going to have to develop thicker skin than your exhibiting right now.

DonCarlos, the main problem with your argument is that you assume that you have a right to drive your car wherever you want, and park it wherever you want. You don't. Driving, and parking, on city streets is a privilege. Your friend does not own the street in front of his house, the City does, and it can control who parks on it, when.

By restricting you from parking there, Provo is not restricting your freedom of association--you are still free to associate with whomever you wish, you just need to walk there, have someone drop you off, or park legally to do it. The Constitution says nothing about a right to convenient travel.

Is that a good enough argument, or are you going to demand "proof?" I can cite some cases if you wish.

I'm sure Wren is "interested in actually solving problems and preserving... self-determination" but S/He is trying to tell you that you are just plain wrong in your approach. Local residents voting in their neighborhood committees is the way the permit program got implemented, that's the way to get rid of it. Tell your friend to get active and vote.

=====

Re:Provo man invokes Constitution to fight parking

Posted by ThomasK - 2008/07/29 09:24

DonCarlos wrote:

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PS: one final thought- if you do follow the above link, please, please, PLEASE do not think that I am trying to compare myself to those great men. I'm not. I simply believe what they believed.

Thanks again.

So how does a parking law prevent your freedom to assemble?

=====

Re:Provo man invokes Constitution to fight parking ticket

Posted by ThomasK - 2008/07/29 09:29

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Now don't quote me on this, I think it's south of the border. I hear it's very hot down there. :evil: