

ORDINANCE NO. 558

AN ORDINANCE AMENDING PART 8, CHAPTER 6, OF THE CODE OF ORDINANCES OF THE CITY OF PIEDMONT, OKLAHOMA, PERTAINING TO STORAGE AND PARKING OF COMMERCIAL VEHICLES, RECREATIONAL VEHICLES, TRAILERS AND BOATS IN RESIDENTIAL ZONING DISTRICTS; PROVIDING FOR DEFINITIONS AND RESTRICTIONS AND CONDITIONS; PROVIDING FOR REPEALER AND SEVERABILITY; ~~AND DECLARING AN EMERGENCY.~~

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

Section 1. Legislative Findings. The City Council after reviewing and studying the results of numerous public hearings, committee meetings, Planning Commission and staff input finds that the issue of parking of commercial vehicles, trailers, and recreational vehicles in residential zoning districts of the City should be regulated to provide a safe environment for the traveling public and pedestrians on residential streets ~~and to eliminate the blighting effect of vehicles parked in the front yards of residential areas.~~ The City Council further finds that parking of certain commercial vehicles, trailers, boats and recreational vehicles in residential areas is a necessary accessory use of the residential property and under controlled circumstances should be allowed. This Ordinance is therefore designed to accomplish a balancing of the interests of allowing a person a reasonable use of their property yet protecting the public from nuisances and dangers associated with uncontrolled use of residential property. On receiving a written complaint from an adjoining property owner, the city will investigate and issue a written warning of said violation, if warranted. If not corrected within fourteen (14) calendar days a citation will be issued to appear in Municipal Court.

Section 2. A new law to be codified as Part 8, Chapter 6, Sections 8-6.1 and 8-6.2 of the Piedmont Code of Ordinances is hereby adopted as follows:

PART 8 CHAPTER 6
RULES FOR STORAGE AND PARKING OF COMMERCIAL
VEHICLES, RECREATIONAL VEHICLES AND TRAILERS
DECLARING A NUISANCE FOR PARKING IN VIOLATION OF THIS
CHAPTER 6

SECTION 8-6.1 DEFINITIONS: The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

I. VEHICLES DEFINED: For the purposes of this section, vehicle means every device in, upon or by which any person or property is or may be transported or drawn. "Vehicle" shall include, but is not limited to automobiles, trucks, trailers, motor homes, camper bodies and boats.

A. *Private Motor Vehicle* means any vehicle by which any person or property may be transported or drawn with a maximum rated capacity of one and one-half (1 1/2) tons used exclusively as a passenger vehicle and for hauling property of the owner and used to satisfy the daily transportation needs of the inhabitants of the residence.

B. *Commercial Motor Vehicle and Equipment* means any vehicle or trailer or both with more than two axles; or with any part or attachment to the vehicle or equipment exceeding the height of eight (8) feet, width of eight (8) feet and six (6) inches or a gross vehicle weight rating greater than 12,000 pounds, or an

overall length of more than twenty-five (25) feet. This includes and is not limited to semi-trailer tractors and semi-trailers as well as earthmoving equipment.

Gardening and or lawn tractors and implements used exclusively for upkeep and maintenance of the residential lot are ~~permitted~~ not prohibited.

C. *Recreational Vehicle* means a vehicle that is not permanently fixed to the ground and not permanently connected to utilities, including water, electric and sewer. ~~Said vehicle does not exceed forty (40) feet in overall length, eight (8) feet and six (6) inches in overall width and thirteen (13) feet and six (6) inches in overall height.~~ Such vehicle is primarily designed as a temporary living quarters for recreational, camping or travel use. It has either its own motive power or is designed to be mounted on or drawn by an automotive vehicle. The terms "fifth-wheeler", "motor home", "truck camper", "travel trailer" are all examples of recreational vehicles. ~~(length should be measured from bumper to tongue on towed vehicles).~~

D. *Boat means* a vehicle for traveling in or on water. ~~and does not exceed forty (40) feet in overall length, eight (8) feet and six (6) inches in overall width and thirteen (13) feet and six (6) inches in overall height. Height is measured while mounted upon a boat trailer.~~

II. TRAILERS DEFINED: A vehicle without motor power, designed so that it can be drawn by a motor vehicle, to be used for the carrying of persons or property.

A. *Cargo, Utility, Stock and Boat Trailers (without boat mounted)* means a vehicle without motor power, designed so that it can be drawn by a motor vehicle

to be used for the carrying of property. ~~which does not exceed 25 feet in length.~~

This includes but is not limited to cargo trailers, stock trailers, utility trailers and boat trailers not having a boat mounted

SECTION 8-6.2 PARKING OF CERTAIN VEHICLES RESTRICTED:

No vehicle which is in excess of eight (8) feet and six (6) inches in width or twenty-five (25) feet in length shall be parked on any street in any residential district between the hours of 8:00 p.m. and 4:00 a.m. except in case of an emergency or for the time necessary to load or unload.

I. Certain vehicles Prohibited; nuisance declared

- A. The parking and/or storage of motor vehicles, trailers or other vehicles in Piedmont in a manner contrary to the provisions of this chapter shall be deemed a public nuisance and shall constitute an offense punishable as provided otherwise in this code. Nothing in this section shall prohibit the City or any other person from seeking injunctive relief for abatement of any such nuisance.
- B. These provisions shall not apply to any vehicle enclosed within a building on private property.

II. Commercial Motor Vehicle and Equipment

- A. Only one (1) commercial vehicle with or without a trailer and equipment shall be parked or stored outside an enclosed building on a lot occupied by a dwelling or a residentially zoned lot, except when being actively loaded or unloaded. Such commercial vehicle and/or trailer shall not exceed twenty

five (25) feet in length, eight (8) feet and six (6) inches in width or fourteen (14) feet and six (6) inches in height. The commercial vehicle shall be parked only on a paved driveway and the commercial vehicle shall be parked at least twelve (12) feet from the edge of the curb or if no curb then twelve (12) feet from the edge of the street pavement or surface.

B. In no case shall any commercial vehicle which is permitted to be parked in a residential zoning district be used for hauling explosives, gasoline, or liquefied petroleum. Parking of semi tractor/trailers or semi trailers, earth moving equipment, off road commercial vehicles and equipment in a residential zoning district is prohibited.

III. Recreational Vehicles, Cargo, Utility, Stock or Boat Trailers and Boats

A. No recreational vehicle, cargo, utility, stock or boat trailer or boat shall be parked or stored in a manner that would constitute a traffic hazard, or be parked or stored in a public right of way, or be parked or stored in the street.

No part of any recreational vehicle, cargo, utility, stock or boat trailer or boat shall extend over the public right of way, street or sidewalk. No sight triangle, at street corners shall be violated. The recreational vehicle, cargo, utility, stock or boat trailer or boat shall be at least twelve (12) feet from the edge of the curb or if no curb then twelve (12) feet from the edge of the street pavement or surface.

B. No recreational vehicle or boat shall be used for living, sleeping or housekeeping purposes; except that one (1) recreational vehicle shall be

allowed for temporary living purposes to accommodate the resident and or visitors for no more than seven (7) days in any one ninety (90) day period unless approval of an extension of time is granted in writing by the City Manager of Piedmont provided:

- i. Said recreational vehicle is not to be connected to any permanent utility, other than temporary electrical/water hookups.
- ii. No recreational vehicle shall discharge any litter, sewage, effluent or other matter, except into sanitary facilities designed to dispose of such material.
- iii. No recreational vehicle shall be used for storage of goods, materials or equipment other than those items considered to be part of the unit or essential for its immediate use.
- iv. The resident / host person shall receive no compensation for such temporary occupancy.

C. Indoor parking is permitted.

D. ~~Outside parking in the side yard behind the front line of the residence is~~
~~permitted.~~

D.—Outside Parking in the front yard is permitted under the following conditions:

- i. parked only on a paved driveway and parked at least twelve (12) feet from the edge of the curb or if no curb then twelve (12) feet from the edge of the street pavement or surface and parked perpendicular to the street unless on a circle driveway

ii. no part of the the recreational vehicle, cargo, utility, stock or boat trailer or boat will overhang the street, right of way or sidewalk.

E. Outside parking in the rear yard and side yard is permitted provided:

i. parked at least twelve (12) feet from the edge of the curb or if no curb then twelve (12) feet from the edge of the street pavement or surface and parked perpendicular to the street unless on a circle driveway

ii. no part of the the recreational vehicle, cargo, utility, stock or boat trailer or boat will overhang the street, right of way or sidewalk

F. All areas surrounding and under said vehicles shall be regularly mowed and kept free of all tall vegetation. The area shall be maintained in such manner as to not be considered a violation of the health and nuisance ordinances.

G. Notwithstanding the provisions of the paragraphs above, any unit may be parked anywhere on the premises during active loading or unloading, and use of electricity or propane fuel is permitted when necessary to prepare a recreational vehicle or boat for use. A period not exceeding forty eight (48) hours shall be a reasonable period of time for such active loading and unloading.

IV. Cargo, Utility, Stock and Boat Trailers

~~— A. Indoor parking is permitted.~~

~~— B. No cargo, utility, stock or boat trailer shall be parked or stored in a manner that would constitute a traffic hazard, or be parked or stored in a public right of way, or be parked or stored in the street in front of the~~

~~_____ residential lot.~~

~~_____ C. Outside parking in front of the front yard building line is prohibited.~~

~~_____ Outside parking in the rear and side yard behind the front yard building line~~

~~_____ is permitted under the following conditions:~~

~~i. _____ The length of the cargo, utility, stock and or boat trailer shall not be greater than eight (8) feet and six (6) inches in width, fourteen (14) feet and six (6) inches in height and twenty five (25) feet in length. Length is measured from bumper to tongue on towed vehicles. The body of the utility, stock and or boat trailer including the bumper and tongue of said unit must be at least twelve (12) feet from the edge of the curb, if no curb, twelve (12) feet from the edge of the street pavement or surface.~~

~~_____ ii. _____ All areas surrounding and under said vehicles shall be regularly mowed and kept free of all tall vegetation. The area shall be maintained in such manner as to not be a violation of the health and nuisance ordinances~~

~~**D. The maximum number of boats, recreational vehicles, and trailers of all types that are allowed to be stored or parked outside an enclosed building on a lot in a residential zoning district is based on lot size as follows: up to .5 acre = 1 trailer; .51 acre to 2.4999 acres = 2 trailers; 2.5 acres and above = no limits on number**~~

Section 3. Section 5-5 of the Piedmont Zoning Ordinance and all other ordinances in conflict herewith are hereby repealed.

Section 4. If any part, article, section, or subsection of this ordinance shall be held invalid or unconstitutional for any reason, such holding shall be not be construed to impair or invalidate the remainder of this ordinance, notwithstanding such holding.

Section 5. It being immediately necessary for the preservation of the public peace, health, safety, and welfare of the City of Piedmont and the inhabitants thereof that this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall be in full force and effect from and after its passage and approval.

END

The foregoing ordinance was introduced before the City Council of the City of Piedmont on the 26th day of July, 2010, and was duly adopted and approved by the Mayor and City Council on the 25th day of October, 2010, after compliance with notice requirements of the Open Meeting Law (25 OSA, Section 301, et seq.).



MAYOR

ATTEST:



CITY CLERK

Approved as to form and legality on October 25, 2010.



CITY ATTORNEY