

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JULY 3, 2012 AGENDA**

Subject:	Type:	Submitted By:
AMEND MUNICIPAL CODE: CHAPTER 72 PARKING REGULATIONS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

SYNOPSIS

An ordinance has been prepared to amend Section 72, Parking Regulations, of the La Vista Municipal Code to add a new Section 72.28 to provide specific provisions for the parking of recreational vehicles in residential districts and the parking of non-motorized vehicles on public streets.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval.

BACKGROUND

At the September 6, 2011 Council passed Ordinance No. 1157 to create a new Section 72.26 titled "Recreational Vehicle Parking; Temporary Parking Permits". On June 19, 2012 Ordinance No. 1177 was passed to add two new Sections which were numbered Section 72.26 and 72.27 thus duplicating a section number.

This Ordinance will not change any of the language that was approved in Ordinance No. 1157. It will only correct the Section number.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 72 OF THE LA VISTA MUNICIPAL CODE REGARDING PARKING TO ADD NEW SECTION 72.28; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. New Section 72.28. Section 72.28 of the La Vista Municipal Code is hereby added to read as follows:

"§ 72.28 RECREATIONAL VEHICLE PARKING; TEMPORARY PARKING PERMITS.

(A) No person shall park a recreational vehicle on any street or any public property within a residential zoning district, unless:

(1) the recreational vehicle is less than twenty (20) feet in length as measured from its extreme forward point to its extreme rear point, including extensions and any attached vehicle or trailer, and

(2) the recreational vehicle, including extensions and any attached vehicle or trailer, is less than ten (10) feet in height, and

(3) the recreational vehicle, including extensions and any attached vehicle or trailer, is less than eight (8) feet in width as measured at its widest point excluding attached side mirrors, and

(4) a valid temporary parking permit has been issued pursuant to subsection (C) of this section.

(B) As used in this section, "recreational vehicle" means a motor vehicle designed for living quarters, and includes but is not limited to travel trailers, folding trailers, pop up trailers, and motor homes.

(C) Temporary Parking Permit for Recreational Vehicles Under Twenty (20) Feet in Length, Ten (10) Feet in Height, and Eight (8) Feet in Width.

(1) Upon receipt of a properly completed application, the Chief of Police shall issue a temporary parking permit to any individual who submits an application to park a recreational vehicle in a residential district for seventy-two or fewer consecutive hours, if such parking would not violate any other applicable provision of this code.

(2) Application for a permit under this subsection shall be made on a form provided by the Police Department. If a recreational vehicle is brought into the City and such a parking permit is required by this section, application for the permit shall be made not later than the first day upon which the Police Department office is open following the arrival of the recreational vehicle in the City. The parking permit shall include, to the extent practicable:

(a) the license plate number of the recreational vehicle to be parked,

(b) the make, model, and serial number or vehicle identification number of the recreational vehicle to be parked, or so much of such information as may be discerned from inspection of the recreational vehicle,

(c) the date of issuance of the permit,

(d) the date or dates upon which the parking permit shall be valid,

(e) the address of the residence adjacent to which the parking permit shall pertain, and

(f) such additional information as may be specified by the Chief of Police.

An issued permit shall be placed and kept in or upon the recreational vehicle in such a manner as to be plainly visible to police and code enforcement officers.

(3) No fee shall be required for the issuance of any permit or any extension of any permit required by this section.

(4) One extension of a permit issued under this section may be granted, up to a maximum of seventy-two hours of extension. Not more than one extension shall be granted. The extension shall be considered one of the four permits allowable under subsection 72.28(C)(5) during any period of twelve consecutive months.

(5) During any period of twelve consecutive months:

(a) Not more than four permits may be issued for parking of the same recreational vehicle; and

(b) Not more than four permits may be issued to any inhabitant or inhabitants of, or visitor or visitors to, a single dwelling within the City or the City's zoning jurisdiction, allowing parking of any recreational vehicle or recreational vehicles within one-thousand feet of any property line of such single dwelling.

(6) A recreational vehicle covered by a parking permit issued under this section must be parked at least thirty (30) feet distant from intersections and fifteen (15) feet distant from fire hydrants.

(7) A recreational vehicle covered by a parking permit issued under this section shall be parked adjoining the residence described on the permit, to the extent practicable, and shall be promptly moved or relocated as any police or other law enforcement officer or code enforcement officer may direct.

(8) Individuals may not reside or sleep in a recreational vehicle overnight while it is so parked, or run water, waste, or power lines to the vehicle across any public right of way.

Statutory reference:

Parking regulations authorized, see Neb. RS 60-680"

SECTION 2. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances as previously enacted that are in conflict with this Ordinance or any parts hereof are hereby repealed.

SECTION 3. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, sentence clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 4. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form or as otherwise provided by law.

PASSED AND APPROVED THIS 3RD DAY OF JULY, 2012.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, CMC
City Clerk