



City of Grand Island

Tuesday, August 24, 2021

Council Session

Item F-2

#9841 - Consideration of Changes to Chapter 22 of the Grand Island City Code Relative to Parking and Storing RV's in Residential Areas

Staff Contact: Jerry Janulewicz

Council Agenda Memo

From: Jerry Janulewicz, City Administrator

Meeting: August 24, 2021

Subject: Amendments Regarding Parking and Storing RV in Residential Areas

Presenter(s): Jerry Janulewicz, City Administrator

Background

The City of Grand Island regulates the parking and storing of Recreational Vehicles (RVs) on residential lots and parking on city streets. City code defines RVs to include boat trailers, camper trailers, horse trailers, motor homes, recreational vessels, travel trailers, truck campers, and utility trailers. Some definitions contain maximum limits on width, length, or height that are more restrictive than the maximums allowed by Nebraska Statutes for vehicle use on public roads. In addition to changes proposed to correspond with state statutes, new definitions for the terms “residential districts” and “residential property” are added in order to clarify that 22-125’s parking and storage restrictions are limited residential districts only. The proposed changes were developed in consultation with the City’s Police, Public Works, and Planning Departments.

Discussion

Under the proposed ordinance, the City’s maximum RV height, width, and length dimensions for RV parking and storage within residential districts would correspond with the maximum limits specified by Nebraska’s rules of the road. This is done by amendment of Section 22-125(1) which would require that RVs parked or stored in a residential district must be licensed, registered, and operable and must not exceed the maximum width, length, or height permitted by Nebraska Revised Statutes Chapter 60, Article 6 (which are the Nebraska Rules of the Road), and removing the width, height, and length dimensions specified in definitions contained in section 22-124. The second change is to incorporate City Code Section 22-126 into Section 22-125, retaining the same time limits for parking on city streets within residential districts and providing that the vehicle must not be parked in a manner that blocks or obstructs the street traffic lane or the public sidewalk space.

The final change involves an increase to the maximum width of truck and trailer parking specified in Section 22-92 to eight feet six inches, an increase from the current seven feet. This, too, brings the maximum width in line with the Nebraska Rules of the Road.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand.
The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends approval of the ordinance.

Sample Motion

Move to approve the ordinance.

Neb. Rev. Stat. Ann. § 60-6,288:

(1) No vehicle which exceeds a total outside width of one hundred two inches, including any load but excluding designated safety devices, shall be permitted on any portion of the National System of Interstate and Defense Highways. The Director-State Engineer shall adopt and promulgate rules and regulations, consistent with federal requirements, designating safety devices which shall be excluded in determining vehicle width.

(2) No vehicle which exceeds a total outside width of one hundred two inches, including any load but excluding designated safety devices, shall be permitted on any highway which is not a portion of the National System of Interstate and Defense Highways, except that such prohibition shall not apply to: . . .

(k) A motor home or travel trailer, as those terms are defined in section 71-4603, which may exceed one hundred and two inches if such excess width is attributable to an appurtenance that extends no more than six inches beyond the body of the vehicle. For purposes of this subdivision, the term appurtenance includes (i) an awning and its support hardware and (ii) any appendage that is intended to be an integral part of a motor home or travel trailer and that is installed by the manufacturer or dealer. The term appurtenance does not include any item that is temporarily affixed or attached to the exterior of the motor home or travel trailer for purposes of transporting the vehicular unit from one location to another.

Neb. Rev. Stat. Ann. § 60-6,289:

(1) No vehicle unladen or with load shall exceed a height of fourteen feet, six inches, except: . . . [exceptions not applicable to recreational vehicles].

Neb. Rev. Stat. Ann. § 60-6,290:

(1)(a) No vehicle shall exceed a length of forty feet, extreme overall dimensions, inclusive of front and rear bumpers including load, except that:

(i) A bus or a motor home, as defined in section 71-4603, may exceed the forty-foot limitation but shall not exceed a length of forty-five feet; . . .

(b) No combination of vehicles shall exceed a length of sixty-five feet, extreme overall dimensions, inclusive of front and rear bumpers and including load, except:

(c) A truck shall be construed to be one vehicle for the purpose of determining length.

(d) A trailer shall be construed to be one vehicle for the purpose of determining length. . .

(3) The length limitations of this section shall be exclusive of safety and energy conservation devices such as rearview mirrors, turnsignal lights, marker lights, steps and handholds for entry and egress, flexible fender extensions, mudflaps and splash and spray suppressant devices, load-induced tire bulge, refrigeration units or air compressors, and other devices necessary for safe and efficient operation of commercial motor vehicles, except that no device excluded from the limitations of this section shall have by its design or use the capability to carry cargo.

ORDINANCE NO. 9841

An ordinance to amend Chapter 22, Articles VII and IX of the Grand Island City Code specifically, to amend Article VII, Section 22-92 pertaining to truck and trailer parking; to amend Article IX, Sections 22-124 and 22-125 pertaining to recreational vehicle definitions and parking and storing recreational vehicles in residential districts; to repeal Chapter 22, Article IX, Section 22-126; and to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. Chapter 22 Article VII, Sections 22-92, Article IX Sections 22-124 and 22-125 of the Grand Island City Code are hereby amended to read as follows:

Article VII. Stopping, Standing, and Parking; Division 1. Generally

§22-92. Truck and Trailer Parking Prohibited

(a) It shall be unlawful for any person to park a truck or trailer with a licensed capacity over five tons, or any truck which individually or in combination with a trailer exceeds 21 feet in length or ~~seven-eight~~ feet six inches in width, upon any street or alley for a period of more than one hour unless such vehicle is, after the expiration of such period, actually delivering or collecting goods, wares, merchandise or materials, or waiting an opportunity to so load or unload materials and providing the driver is present therewith; or except when such trailer is parked in connection with and in aid of the ongoing performance of constructions upon or reparative service to or on property in the City block in which such trailer is parked. Any vehicle in violation of this section is hereby declared to be a public nuisance and is subject to immediate removal and impoundment.

(b) This section shall not be construed as permitting the parking of any vehicle in any zone where parking is otherwise prohibited or restricted by this chapter, or as extending the time of parking where such is now restricted to a shorter period than herewithin allowed.

Amended by Ordinance No. 9309, effective 08-30-2011

Approved as to Form <input type="checkbox"/>
August 17, 2021 <input type="checkbox"/> City Attorney

Article IX. Recreational Vehicles and Vessels

§22-124. Definitions

For the purposes of this article, Recreational Vehicle is defined as, and shall include, the following:

Boat Trailer. A vehicular structure without its own motive power designed to transport a boat for recreational vacation use, which is eligible to be licensed or registered and insured for highway use;

Camper Trailer. A folding or collapsible vehicle structure without its own motive power, designed as temporary living quarters for travel, camping, recreation and vacation use, and eligible to be licensed or registered and insured for highway use;

Horse Trailer. A vehicular structure without its own motive power ~~not exceeding twenty feet in length, eight feet in width, and ten and one-half feet in height,~~ designed primarily for the transportation of horses, and which, in combination with the carrying vehicle, is eligible to be licensed or registered and insured for highway use;

Motor Home. A vehicular unit primarily designed to provide temporary living quarters which are built into an integral part of or permanently attached to, a self-propelled motor vehicle chassis or van, containing permanently installed independent life-support systems that meet the state standard for recreational vehicles and providing at least four of the following facilities: cooking; refrigeration or ice box; self-contained toilet; heating, air conditioning, or both; a potable water supply system including a faucet and sink; separate one-hundred-twenty-nominal-volt electrical power supply; or LP gas supply;

Recreational Vessel. A term applying to all manner of water craft, other than a seaplane on water, whether impelled by wind, oars, or mechanical devises, and which is designed primarily for recreational or vacation uses. A recreational vessel, when mounted upon a boat trailer, and its towing recreational vehicle, when parked or stored in the side or rear yard or behind the required front yard, shall be considered one unit, exclusive of its towing recreational vehicle.

Residential district means a contiguous or nearly contiguous area containing residential properties and public rights-of-way or parts thereof primarily abutted by residential property or residential and non-commercial property such as schools, parks, churches, hospitals, colleges, and nursing homes.

Residential property means a tract or platted lot of less than one acre in total area on which no more than eight residential dwelling units are located.

Travel Trailer. A rigid vehicular structure, without its own motive power, designed as a temporary dwelling for travel, camping, recreation or vacation use, and eligible to be licensed or registered and insured for highway use, ~~and which when equipped for the road, has a body width of not more than eight feet;~~

Truck Camper. A portable structure, without its own motive power, designed to be transported on a powered vehicle as a temporary dwelling for travel, camping, recreation or vacation use, and which, in combination with the carrying vehicle, is eligible to be licensed or registered and insured for highway use;

Utility Trailer. A vehicular structure without its own motive power ~~not exceeding twenty feet in length, eight feet in width, and ten and one half feet in height,~~ designed and/or used primarily for the transportation of all manner of motor vehicles, goods or materials, and eligible to be licensed or registered and insured for highway use.

Amended by Ordinance No. 8992, effective 8-10-2005

§22-125. Parking and Storing ~~RVs~~ Recreational Vehicles in Residential Districts

~~No~~ Any owner, lessee, or bailee, of a recreational vehicle as defined in §22-124, ~~may~~ shall park or store such recreational vehicle ~~on a single lot in~~ within a residential district, ~~subject to the~~ except as follows: following:

(1) Such recreational vehicle shall be licensed, registered, and operable and maintained in a clean, sanitary state so as not to attract pests or vermin of any nature, and shall not exceed the maximum width, length or height permitted by Nebraska Revised Statutes Chapter 60, Article 6, as amended.

(2) If such recreational vehicle is equipped with ~~liquified~~ liquefied petroleum gas containers, such containers shall meet the standards of the Interstate Commerce Commission or the Federal Department of Transportation or the American Society of Mechanical Engineers, as such standards existed on September 23, 1975. Further, the valves of such ~~liquified~~ liquefied petroleum gas containers must be closed when the recreational vehicle is not being readied for immediate use, and in the event that leakage is detected from such ~~liquified~~ liquefied petroleum gas containers, immediate corrective action must be taken.

(3) At no time shall such parked or stored recreational vehicle be occupied or used for living, sleeping, or housekeeping purposes, except as provided in subsection (4) of this section.

(4) It shall be lawful for only nonpaying guests at a residence in a residential district to occupy one recreational vehicle parked or stored on a residential property, subject to the provisions of this chapter, for sleeping purposes only for a period not exceeding one week. The total number of days during which a recreational vehicle may be occupied under this subsection shall not exceed 30 days in any calendar year.

(5) Such recreational vehicle may be parked or stored in the following manner:

(A) Parking is permitted inside any closed structure, which structure otherwise conforms to the zoning requirements of the particular zone where located;

(B) Parking is permitted outside in the side yard or in the rear yard behind a required front yard;

(C) Parking is permitted outside within the required front yard area on a driveway or a hard-surfaced pad adjacent to the driveway for one recreational vehicle, provided:

(i) The recreational vehicle is parked perpendicular to the front curb;

(ii) The recreational vehicle is not parked within or obstructing a public sidewalk space;

(iii) The recreational vehicle must be at least 10 feet in back of the front curbing;

~~—(iii) The sides of the recreational vehicle do not exceed 40 feet in length, eight feet in width, or 12 feet in height. For the purposes of determining external measurements:~~

~~—(a) Truck campers and recreational vessels shall be measured in conjunction with their carrying vehicles, with the whole being considered as one unit for measuring purposes; and~~

~~—(b) As to other recreational vehicles, the length restriction shall apply to the body measurement only.~~ (D) Parking is permitted upon the public street for a period not to exceed 24 consecutive hours or 24 total hours in a seven day period provided, however, no such vehicle shall be parked in a manner that blocks or obstructs the street traffic lane or sidewalk space located in the public right-of-way.

(6) The city council shall have the power to grant relief from any of the foregoing provisions in such selected instances as it may deem appropriate under the circumstances.

~~§22-126. Exceptions~~

~~Nothing in this chapter shall prohibit the temporary parking~~ (1) Parking of any recreational vehicle shall be permitted on a driveway within the front yard area, or upon the streets; provided, said parking shall be for a period not to exceed 24 hours. (2) no recreational vehicle shall be parked upon the streets or on a driveway more than 24 hours in a weekly period.

Amended by Ordinance No. 9841, effective 09-08-2021

ORDINANCE NO. 9841 (Cont.)

SECTION 2. Chapter 22 Sections 22-126 is repealed.

SECTION 3. Any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 4. This ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: August 24, 2021.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk