



City of Grand Island

Tuesday, October 22, 2013

Council Session

Item F-3

#9458 - Consideration of Amending Chapter 22-141.1 of the Grand Island City Code Relative to Front Yard Parking

Staff Contact: Steven Lamken

Council Agenda Memo

From: Steven Lamken, Police Chief

Meeting: October 22, 2013

Subject: Amending City Code 22-141.1

Item #'s: F-3

Presenter(s): Steven Lamken, Police Chief

Background

City Code 22-141.1, Parking in the Front Yards, is in conflict with City Code in Chapter 36 that establishes requirements for off street parking. Currently City Code 22-141.1 permits the use of gravel or crushed rock for front yard parking. The amended ordinance will eliminate the use of either for front yard parking. This amendment will assist in code enforcement as well as the overall quality of appearance of our residential neighborhoods.

Discussion

City Code 22-141.1 currently permits a property owner to use gravel or crushed rock as a means for creating front yard parking. This is in conflict with City Code Chapter 36 that does not permit the use of these materials for off street parking. This creates a problem for code enforcement. Gravel or crushed rock does not provide a solid base for parking. In many instances the material is compacted into the soil or displaced. This creates mud and ruts in front yards. It is unsightly and an inappropriate use of materials for front yard parking. Citizens register complaints about the conditions of such parking and yards; however, it does not constitute a violation of City Code.

The proposed amended ordinance eliminates the use of gravel or crushed rock in creating front yard parking. This brings City Code 22-141.1 into compliance with Chapter 36 that sets requirements for off street parking. The proposed amendment will also create a bright line rule for code enforcement as to the legality of parking in a front yard. Property owners will be required to make improvements in accordance with Chapter 36 if they desire to create parking in their front yards.

This amendment does not change or address the City Code pertaining to side yard or back yard parking.

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 that the Council approve the passage of the amendment of City Code 22-141.1 removing the use of gravel and crushed rock for front yard parking.

Sample Motion

Move to amend City Code 22-141.1 that removes the use of gravel and crushed rock as materials approved for front yard parking.

ORDINANCE NO. 9458

An ordinance to revise Chapter 22, Section 22-141.1, Parking in Front Yards, of the Grand Island City Code to delete the statement,

It shall be unlawful for anyone to park a motor vehicle on any unimproved area of a front yard of any property in the city of Grand Island. ~~For the purpose of this section, "unimproved area" shall mean any area that has not been improved with concrete, asphalt, brick, stone, gravel, or crushed rock.~~ The term "motor vehicle" shall mean every self-propelled land vehicle, not operated on rails, except mopeds or self-propelled invalid chairs. No front yard area shall be improved for parking unless it meets all of the requirements of the Grand Island City Code for off-street parking, including but not limited to, the provisions of Chapter 36.

and repeal any ordinance or parts of ordinances in conflict herewith and to provide for publication of this ordinance in accordance with State law. The above statement is in conflict with other provision of the City Code Chapter 36 that provides requirements for off-street parking.

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

SECTION 1. That Chapter 22, Section 22-141.1 of the Grand Island City code shall be modified to read as follows:

22-141.1. Parking In Front Yards

It shall be unlawful for anyone to park a motor vehicle on any unimproved area of a front yard of any property in the city of Grand Island. The term "motor vehicle" shall mean every self-propelled land vehicle, not operated on rails, except mopeds or self-propelled invalid chairs.

Approved as to Form	by _____
October 18, 2013	City Attorney

ORDINANCE NO. 9458 (Cont.)

No front yard area shall be improved for parking unless it meets all of the requirements of the Grand Island City Code for off-street parking, including but not limited to, the provisions of Chapter 36.

SECTION 2. Any ordinance or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 3. This ordinance shall be in force and take effect fifteen days from and after its passage and publication as required by law.

Enacted: October 22, 2013.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk