



City of Grand Island

Tuesday, August 09, 2011

Council Session

Item F10

#9309 - Consideration of Amending Chapter 22-92 of the Grand Island City Code Relative to Truck and Trailer Parking on Streets

Staff Contact: Steve Lamken

Council Agenda Memo

From: Steven Lamken, Police Chief

Meeting: August 9, 2011

Subject: Truck and Trailer Parking on Streets,
City Ordinance 22-92

Item #'s: F-10

Presenter(s): Steven Lamken, Police Chief

Background

Business owners in the Platte Valley Industrial Park and the Economic Development Corporation have approached City Administration with the concern of an ongoing problem of trucking companies using the streets in the industrial park as their place of business. The companies are parking trailers and trailer dollies, transferring loads from one trailer to another and dropping and picking up trailers on the street.

The City does not have an ordinance that addresses this concern. Our current City Code 22-92 only addresses parking large trucks and trailers on residential streets. We believe that there needs to be an ordinance that will address this problem city wide instead of attempting to address it street by street.

We are proposing adopting changes to City Code 22-92 that would prohibit parking large trucks and trailers on all streets of the City with the exceptions for deliveries or collections, waiting to deliver or collect so long as the driver is present and for construction of adjacent properties.

The proposed changes would also provide that a truck or trailer in violation would be deemed a nuisance and provide for the immediate impoundment of the vehicle.

Discussion

Business owners in the Platte Valley Industrial Park and the Economic Development Corporation have approached City Administration with the concern of an ongoing problem of trucking companies using the streets in the industrial park as their place of

business. The companies are parking trailers and trailer dollies, transferring loads from one trailer to another and dropping and picking up trailers on the street.

This creates several concerns. One concern is traffic safety. At times trucks and trailers are double parked on the street when loads are being transferred between trailers. Trailer dollies which are not licensed vehicles and do not have light or reflective material on them are being left on the street.

A second concern is that a lack of any restrictions could result in more semi trailers being left on streets in commercial areas. Some commercial streets have higher volumes of traffic and trailers could create visibility barriers for motorists. Some commercial streets are not as wide as those in the industrial park. Leaving large trailers on the street can reduce safety by narrowing the traffic lanes.

Another concern is the complaints from property owners in the industrial park who are concerned about damage to properties. The property owners have made efforts to maintain the appearance of their properties and the area. The trailers and dollies left in the street detract from the appearance of the area. Drivers are driving over the curbs of the streets when turning and causing ruts in the lots and damage.

A final concern of the property owners is that these companies are using public streets as their business location in the City. They are conducting commerce on the street and not always making deliveries or picking up products from a local business. Other trucking companies that have trucks and trailers staged in Grand Island maintain depots or operational facilities in the City. The City has historically restricted commerce on City streets through requiring permitting or restricting businesses from using the street.

The proposed ordinance would expand the prohibition of parking large trucks and trailers on any street in the City. The ordinance provides a clear definition of a vehicle that would be classified as a large truck or trailer. The ordinance would allow for the exceptions of delivery and collection, waiting for delivery or collection with the driver present or for construction on a property adjacent to the street. The ordinance should not hamper commerce with the provided exceptions.

The ordinance also provides for a vehicle in violation to be deemed a nuisance and impounded. The Police Department believes this is necessary. It is a somewhat futile jester to write a parking ticket and leave it on a trailer sitting on a street. Many trailers are licensed to a corporation and not an individual. Semi trailers are often licensed in another state. There is no accepted location to affix a citation that would ensure that a driver picking up a trailer would find it. A parking ticket would not serve as an effective deterrent to violators. Impoundment of the vehicle will be an effective deterrent.

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 amending City Code #22-92.

Sample Motion

Move to approve Ordinance No. 9309, Truck and Trailer Parking Prohibited.

ORDINANCE NO. 9309

WHEREAS, The City is responsible for the regulation of use of and parking on City streets; and

WHEREAS, City streets are being used by businesses as their official location for the purposes of storage of trailers, picking up and dropping trailers, loading and unloading trailers and transferring materials between trailers; and

WHEREAS; these activities create concerns with traffic safety, property damage, and the use of the streets for purposes that the City historically has regulated and restricted, and

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

SECTION 1. Section 22-92 of the Grand Island City Code is amended to read as follows:

§22-92. ~~Parking Trucks in Residential District~~ 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 feet 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 ~~except a truck or trailer being used for the purpose of 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 construction upon or reparative service to or on property in the City block in which such trailer is parked. on any street adjacent to property zoned as a residential property pursuant to Chapter 36 of this code or on any street designated as a snow emergency route street for a period of time longer than is necessary for the expeditious delivery or collecting of goods, wares, merchandise or materials, and in no event for a period of time exceeding two hours; provided, that the provisions of this section shall not apply to trucks or trailers being used in connection with building, repair, service, or moving operations. 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.

ORDINANCE NO. 9309 (Cont)

SECTION 2. The foregoing section of Chapter 22 as existing prior to this amendment, and any ordinances or parts of ordinances in conflict herewith, are repealed.

SECTION 3. The validity of any section, subsection, sentence, clause, or phrase of this ordinance shall not affect the validity or enforceability of any other section, subsection, sentence, clause, or phrase thereof.

SECTION 4. That this ordinance shall be in force and take effect from and after its passage and publication in pamphlet form within fifteen days as provided by law.

Enacted: August 9, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
August 5, 2011	☐ City Attorney