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# City of Grand Island

## Item C2

### Possible Revision to Truck Parking Ordinance

*A request has been received from two councilmembers to discuss possible amendments to the current truck parking ordinance. This issue arose from recent complaints concerning parking of a delivery van overnight on a residential street located in Ward 5.*

*The truck parking ordinance was amended at the March 23, 1998, meeting of the Mayor and City Council to make the then existing ordinance more restrictive and easier to enforce. A copy of the memorandum to the Mayor and City Council provided with the 1998 ordinance is attached for your information.*

*The principal difficulty in drafting ordinances restricting truck parking in residential neighborhoods lies in the difficulty in establishing a clear, enforceable distinction between vehicles which are legal and those which are prohibited. Currently the line is drawn to prohibit trucks which have a listed gross vehicle weight (GVW) of six tons or more because these are the vehicles which the City had expressed an intent to regulate and the State of Nebraska issues GVW tags only for those trucks licensed to carry six tons or more. Trucks licensed for less than six tons do not have a GVW tag, unless the owner specifically asks for a tag, come in all shapes and sizes, and as practical matter are difficult to distinguish and identify from a regulatory standpoint. For example, all pick-up trucks, from the smallest compact truck to the largest extended cab, long box, four-wheel drive one ton frame are licensed as commercial vehicles. On those frames are installed a myriad of body styles and*



**Tuesday, December 11, 2001**

**Special Meeting/Study Session**

## INTEROFFICE MEMORANDUM

Comment: Document with Letterhead  
Heading

March 19, 1998

**TO: Mayor and City Council**

**FROM: Charles J. Cuypers, City Attorney**

**RE: Amendment to Truck Parking Ordinance**

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**BACKGROUND:** Under the current City Code, any vehicle fitting the definition of a “truck” cannot be parked on a street adjacent to property defined by the Code for “residential purposes” for any period of time longer than necessary for the delivery or pick up of goods, wares, merchandise, etc. Section 22-1 defines the term “truck” to mean any motor vehicle designed, used, or maintained primarily for the transportation of property, and specifically includes truck-trailers, with or without trailers. This means that it is illegal for a person to park their pickup truck in front of their home in any area zoned Residential. Additionally, the Code does not clearly tie the definition of “residential purposes” to the zoning code.

On a separate issue, the City periodically receives complaints that trucks, generally tractor-trailer combinations, are being parked on busy arterial streets creating hazards for the driving public and residents. For example, several months ago, a person working as a driver for one of the local trucking companies contacted our office wanting to know why he could not park his tractor-trailer on the south side of Stolley Park Road adjacent to the Five Points Bank facility. Although we were successful in convincing the gentleman to not park his employer’s truck at this location, he could have done so legally under the current City Code.

In another instance, a truck-tractor has been parking along the south side of West Anna Street adjacent to the Platt-Duetsche property. Although the tractor can legally park at that location, virtually all eastbound traffic has to cross the center line in order to pass the tractor.

**DISCUSSION:** The proposed amendment to the Code addresses a number of issues. First, the definition of “truck” is revised to include only those vehicles which are licensed for a gross vehicle weight (GVW) of 6 tons or more. Currently, the State of Nebraska issues GVW tags for only those trucks licensed for a GVW of 6 tons or more and it is our understanding that these are the vehicles which the City has previously expressed an intent to regulate. This would simplify identification by the Police Department

of nonconforming vehicles.

Second, the definition of “residential purposes” would be tied to the zoning code and introduce clarity into this issue. Third, the heavily traveled collector and arterial streets within the City are virtually all identified as Snow Emergency Routes and designated by signs accordingly. Because snow emergency designations are based on vehicular volume which does not vary significantly throughout the year, the proposed ordinance would be helpful in removing the hazard caused by parking large trucks on these heavily traveled streets.

Finally, in order to deter persons from violating these truck parking restrictions, the proposed fine would be \$10.00 rather than our usual \$3.00 and would double to \$20.00 if not paid within five days of the issuance of the violation tag in the same manner as other parking violations double.

**RECOMMENDATION**: We recommend that the revisions to the truck parking ordinances be approved.

**FISCAL EFFECT**: The fiscal effect of the passage of this ordinance would be nominal and if anything would be reduce costs from enforcement of the current Code sections.

CJC/kks