

Work Session

Agenda Item #	5
Meeting Date	March 2, 2016
Prepared By	Susan Silber City Attorney
Approved By	Suzanne R. Ludlow City Manager

Discussion Item	Discussion on modifying the City's laws on commercial vehicles.
Background	<p>Takoma Park Code defines commercial vehicle as "any vehicle designed for and regularly used for carrying freight or merchandise." T.P. Code § 13.04.020. The Council may want to consider a clearer definition that would permit more effective enforcement.</p> <p>The Council may wish to address the following concerns:</p> <ol style="list-style-type: none"> 1) Definition of "commercial vehicle"; 2) Regarding parking of commercial vehicles on city streets; and 3) Defining and regulating the parking of recreational vehicles, utility trailers, buses.
Policy	Municipality has authority to regulate parking on city rights of way.
Fiscal Impact	None generally. Amendments may facilitate enforcement.
Attachments	<p>Legal memorandum (November 17, 2014) with two attachments.</p> <ol style="list-style-type: none"> 1) Previous Work Session Agenda with attachments from that session; and 2) Montgomery County Code, Chapter 31, with relevant sections starred. <p>Informal Notes from November 17, 2014 Work Session</p>
Recommendation	Discuss options; Instruct City Attorney on proposed legislation.
Special Consideration	Takoma Park does not have zoning authority. Montgomery County regulates off-street parking of commercial vehicles. Takoma Park has authority to regulate parking on city streets.

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MEMORANDUM

To: Brian T. Kenner, City Manager
Mayor and City Council
City of Takoma Park

From: Susan Silber
City Attorney, City of Takoma Park

Subject: Amendments to Code Provisions on Commercial Vehicle Parking

Date: November 17, 2014

Commercial Vehicle Parking

Introduction - Possible Changes to Takoma Park Law

The Takoma Park Code definition of “commercial vehicle” is “any vehicle designed for and regularly used for carrying freight or merchandise.”¹ This definition is vague and difficult to interpret, which makes it difficult to enforce.

Under the City’s Code, no commercial vehicles are permitted to be parked on public roads in residentially-zoned property, “except while actually loading or unloading merchandise.”² This provision does not include an exception for parking commercial vehicles on a public street when the vehicle is “used by the owner or operator when engaged in work on the property abutting the street.” (See Montgomery County Code §31-14(b)(2).)

Also, there are no definitions in the City Code for recreational vehicles, utility trailers, or buses and no prohibition against parking such vehicles on public streets in residential zones (provided the vehicle is not parked on the street for more than 72 hours—a City restriction that applies to all vehicles, not just commercial vehicles). (See Takoma Park Code § 13.20.040(A).)

Proposed Amendments

The City Council may wish to consider the following in order to clarify the language in the Takoma Park Code and to increase the enforceability of the City’s commercial vehicle parking regulations:

- 1) Adopt the same or a similar definition of “commercial vehicle” from the Montgomery County Code definitions for “heavy commercial vehicle” and “light commercial vehicle”;

¹ Takoma Park Code §13.04.020.

² Takoma Park Code, §13.20.080.

- 2) Add definitions for “recreational vehicle”, “utility trailer”, and “bus”;³ and
- 3) Repeal the general prohibition of all commercial vehicles in residential areas and adopt provisions similar to Montgomery County Code §31-14 (See Attachment 2), Parking of heavy commercial vehicles, recreational vehicle, utility trailers, or buses.

Montgomery County Zoning Ordinance⁴

The Montgomery County Zoning Ordinance applies in Takoma Park; the City does not have independent or concurrent authority.

The Montgomery County Zoning Ordinance applies in the City of Takoma Park due to the Regional District Act. Zoning is an area where the City cannot “opt-out” of the County law or enact provisions that conflict with the County’s Zoning Ordinance.

Zoning Text Amendment No. 09-03, effective April 24, 2011, made various amendments to the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code, dealing with Home Occupations and Residential Off-Street Parking. These provisions relating to parking commercial and residential vehicles on residential property are for “off-street” parking (*i.e.*, parking on private property, not on a public road). These provisions of ZTA 09-03 dealing with home-based businesses and parking motor vehicles on residential property are summarized in the June 10, 2013, Work Session materials and attached DPS (Dept. of Permitting Services) information sheet on “Parking motor vehicles on Your Residential Property Zones R-200, R-150, R-90, R-60, R-40.”

These Montgomery County Zoning Ordinance provisions relating to commercial vehicle parking allow one light commercial vehicle (this could include a tow truck, but not with a disabled car attached) and one recreational vehicle (the RV cannot be used for living purposes for more than 3 days in any month) to be parked on residential property.

³ See Attachment 2 for a copy of these definitions from the Montgomery County Code.

⁴ Montgomery County engaged in a multi-year Zoning Rewrite Project to modernize the zoning code and the Montgomery County Council approved a new Zoning Code on March 5, 2014. The new Zoning Code became effective on October 30, 2014.

Work Session

Agenda Item #	5
Meeting Date	June 10, 2013
Prepared By	Alan Goldberg Chief of Police
Approved By	Suzanne Ludlow Acting City Manager

Discussion Item	Discussion of Commercial Vehicle Parking in Residential Zones
Background	<p>Over the years there have been occasional complaints about the parking of commercial vehicles on private property and on public rights of way. There has also been uncertainty as to what laws apply. Applicable laws in Takoma Park have been enforced on a complaint basis. The actual number of complaints in recent years is small.</p> <p>Several years ago, Montgomery County passed a law prohibiting the parking of heavy commercial vehicles and recreational vehicles on County-owned residential streets. This law does not apply within the City of Takoma Park. At the time, there were some discussions about the possibility of passing a similar law within Takoma Park.</p> <p>This work session discussion will cover the laws that apply in Takoma Park, the County's commercial vehicle law, the types of complaints that are made about commercial vehicle parking in Takoma Park, and the need for changes in the City Code, if any.</p> <p>Types of Complaints</p> <ol style="list-style-type: none"> 1) Home-based business owners who have been using a certain arrangement for parking their commercial vehicles for a long time and then, because of a complaint, are informed by the police that what they are doing is not legal and they can no longer park what they have or where they have it. The owner doesn't understand what has changed. 2) Complaints by truck owners that they are being subjected to enforcement when another nearby truck owner with a similar vehicle is not being affected. 3) Complaints by residents that trucks are being parked illegally when in fact certain trucks do not violate the ordinance. 4) Residents complain that some houses have three, four and five panel vans parked either in their driveways or on the curb, but there is apparently no legal limit on the number of trucks a business owner can park on or adjacent to his property. 5) Some commercial trailers are left to sit for indefinite periods, irritating neighbors and consuming needed curb space for others to use. 6) Some recreational vehicles and boat provoke irritation, whether parked on private property or the public right of way.

City Code

- 1) On public rights of way, no vehicle (commercial or not) may be left in the same location for 72 consecutive hours. This provision is enforced by the Police Department. (13.20.040.A.7)
- 2) No commercial vehicles may park or leave standing a commercial vehicle on a public road in front of, alongside of or in the rear of any residentially zoned property, except when actually loading or unloading merchandise. "Commercial vehicle" means any vehicle designed for and regularly used for carrying freight or merchandise. This provision is enforced by the Police Department. (13.04.020 and 13.20.080)
- 3) On private property, vehicles must be on surfaced parking areas and be operable and licensed. This provision is enforced by Code Enforcement. (6.12.050)

Issue: Definition of "Commercial vehicle" in the City Code is difficult to interpret. Does it include:

- work trucks such as pick up trucks with ladders and vans?
- work trucks with company logos?
- a pink car with Mary Kay on the side of it?
- a tow truck operated from a home office?
- a lawn service trailer?

County Code

Montgomery County does have specific regulations regarding commercial vehicles and boats and trailers in residential neighborhoods. These regulations do not apply to Takoma Park streets. However, the definitions of commercial and recreational vehicles are clear.

Montgomery County Code regarding heavy commercial vehicles and trailers, recreational vehicles and boats.

Parking for Heavy Commercial and Recreational Vehicles

Heavy commercial vehicles and recreational vehicles are prohibited from parking on residential streets, except temporary parking for loading and unloading.

Heavy commercial vehicles are defined as follows: a gross vehicle weight of more than 10,000 pounds; a manufacturer's rated capacity of more than one ton; more than 21 feet long (including any object loaded onto the vehicle); or are more than eight feet high (including racks, but not antennas). These vehicles are prohibited from parking off-street in residential neighborhoods.

Recreational vehicles include motor homes and trailers, including those used to transport other leisure equipment. One recreational vehicle per household can

	<i>be parked off-street on available surfaced area in residential neighborhoods.</i>
Policy	<p>Ensure a Takoma Park that is fiscally, environmentally, and economically sustainable.</p> <p>Create and maintain a livable community that is vibrant, healthy, and safe for all its residents.</p>
Fiscal Impact	NA
Attachments	County Provisions
Recommendation	<p>Council should discuss issue and give direction to staff. Discussion could include:</p> <ul style="list-style-type: none"> • extent of problem • need to balance residential and business interests • possibility of adopting new definitions of commercial vehicles • possibility of adopting County Code on parking of heavy vehicles • need for input from residents and business owners
Special Consideration	

Chapter 31. Motor Vehicles and Traffic.

Editor's note-In Leet v. Montgomery County, 264 Md. 606, 287 A.2d 491 (1972), it was held that the County could not require a person to move, at his own expense, from his land, vehicles left by persons who trespass on his land against his will and without his knowledge. Chapter 31 is cited in Miller v. Maloney Concrete Company, 63 Md. App. 38, 491 A.2d 1218 (1985).

See County Attorney Opinion dated 7/8/02 describing the extent to which quasi-judicial officials may engage in political activities.

Cross references-Marking of County vehicles, § 2-9; bicycles, ch. 7; motor vehicle repair and towing registration, ch. 31A; deposit of handbills in vehicles, § 32-8; vehicles containing flammable liquids, § 32-9 et seq.; streets and roads, ch. 49; removal of trees, bushes, etc., which interfere with vision of drivers, § 49-9; taxicabs and limousines, ch. 53; parking lot districts, ch. 60.

State law reference-Powers of local authorities with respect to streets and highways generally, Md. Code Ann., Transportation, § 25-102.

Article I. Definitions.

§ 31-1. Definitions

Article II. Motor Vehicles, Traffic Control and Highways-Generally.

§ 31-2. Authority of county executive to erect traffic signs.

§ 31-3. Restriction of traffic, designation of truck routes, etc., by county executive.

§ 31-4. Authority of school crossing guards.

§ 31-5. Driving over curbs, sidewalks or drainage structures.

§ 31-6. Snow and ice emergency traffic control.

§ 31-7. Parking of unregistered motor vehicles or trailers.

§ 31-8. Parking vehicles; impeding traffic, threatening public safety.

§ 31-9. Impounding illegally parked vehicles, impeding traffic, etc.

§ 31-9A. Speed Monitoring Systems Authorized.

§ 31-9B. School Bus Safety Cameras Authorized.

Article III. Parking Regulations-Generally.

§ 31-10. Authority of county executive to erect parking signs.

§ 31-66. Receipts not required for payments received by mail.

§ 31-67. Penalties, generally.

Article VIII. Miscellaneous Provisions.

§ 31-68. Pedestrian and bicycle safety impact statements.

§ 31-69. Residential traffic management areas.

Article I. Definitions.

Sec. 31-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them in this article:

Abandoned vehicle: Any vehicle that is inoperative or is otherwise left unattended on public or private property for more than forty-eight (48) hours without the consent of the owner or person in charge of the property, or a vehicle that has remained illegally parked on public property for a period of more than forty-eight (48) hours, or any impounded vehicle being held in the custody of the county which is unclaimed after sixty (60) days.

Alley: A street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purpose of through vehicular traffic.

Bicycle: A vehicle that is designed to be operated by human power or with assistance of a motor that has a capacity of less than fifty (50) cubic centimeters piston displacement or rated less than one (1) brake horsepower, that has two (2) or three (3) wheels of which one is more than fourteen (14) inches in diameter, that have a rear drive and with wheel configuration as follows:

(a) Two (2) wheels in tandem.

(b) Three (3) wheels; single front wheel with two (2) rear wheels on a horizontal axis perpendicular to the longitudinal plane of the front wheel and spaced substantially equidistant from the front wheel center line.

* *Bus:* Every motor vehicle except school buses designed for carrying more than ten (10) passengers and used for the transportation of persons; and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

Bus stop: That portion of a public roadway edge designated by sign as a bus stop and intended for the safe loading or unloading of bus passengers from any motor vehicle operated with the approval of the State of Maryland or the county on fixed routes and schedules.

Bus zone: A bus stop used as a point of layover by buses for short periods of time, not to exceed thirty (30) minutes, for maintaining schedules.

Cost: Expense incurred by the county as a result of any extraordinary method of collection of delinquent and past due fines and penalties for violations of the provisions of this chapter and

charged uniformly to such violators to offset or defer such expense.

Court: When referred to in this chapter means the district court of Maryland for Montgomery County.

Crosswalk:

- (a) Any portion of a roadway distinctly indicated for pedestrian crossing by painted lines or other markings on the roadway surface.
- (b) That portion of a roadway ordinarily included with the prolongation or connection of the lateral lines of sidewalks at intersections.

Driver or operator: Any person who is in actual control or charged with the control of a vehicle.

Driveway or private road: Every way or place in private ownership or otherwise and used for vehicular travel by the owner and those having expressed or implied permission from the owner.

Driving aisle: Every way within a public parking facility intended to facilitate the circulation and movement of motor vehicles within the facility.

Enforcement officer: Any person appointed under the regulations of the county personnel board and so designated by the county executive to police and enforce the provisions of this chapter.

Fine: A monetary sum imposed as a punishment for an offense or violation of this chapter.

Fire lane: Area of a public or private roadway or parking facility designated by official signs or markings and intended for the exclusive use of emergency vehicles only.

* *Gross weight:* The weight of a vehicle without load plus the weight of any load thereon.

* *Heavy Commercial vehicle:* Any motor vehicle and tandem axle trailer or semitrailer designed and used for carrying freight or merchandise or used in furtherance of any commercial enterprise that has:

- (a) a gross vehicle weight (GVW) of more than 10,000 pounds;
- (b) a manufacturer's rated capacity of more than 1 ton;
- (c) a length of more than 21 feet measured from the extremes of the vehicle, including any object loaded on the vehicle; or
- (d) a height of more than 8 feet with properly inflated tires, measured from the ground to the highest part of the vehicle, including racks, but not antennas.

A heavy commercial vehicle does not include a motor vehicle owned by the County or other governmental agency or a farm machine or vehicle used for agriculture.

Highway or street: The entire width between the property lines of every way or thoroughfare of any kind used by the public for purposes of vehicular travel, whether actually dedicated to the public and accepted by the proper authorities or otherwise.

Immobilize: To take a vehicle into the custody of the county by restricting or otherwise impeding the movement of such vehicle from its parking place by use of a mechanical device

private parking facility. Such traffic-control devices shall conform in design, color, size and placement to the standards established in the most recent edition of the "Manual on Uniform Traffic Control Devices for Streets and Highways."

Off-street parking: The parking of motor vehicles on a public street or highway.

One-way street: A public highway upon which vehicular traffic is permitted to move in one (1) direction only.

Park or parking: The standing of a vehicle on a public highway or public parking facility whether occupied or attended, except when standing in obedience of traffic regulations, a police officer, traffic signs and signals or temporarily stopped for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

Parking meter:

(a) A mechanical device which when installed adjacent to a curb on a roadway or on a public parking facility, indicates the time a motor vehicle may remain parked within the adjacent parking space upon the insertion of the proper fee in coins of United States denomination.

(b) An official traffic control device intended to regulate the time a motor vehicle may remain parked in a public parking space.

Parking violation notice: A form as prescribed by the county upon which a police officer or other authorized person cites a violation of the parking regulations and provisions of this Code. The form when properly completed and affixed to an unlawfully parked vehicle, or otherwise presented, serves as notice to the vehicle owner or operator of the violation and the corresponding fine as penalty thereof.

Pedestrian: Any person afoot.

Penalty:

(a) A monetary sum imposed in addition to the fine as forfeiture by any person in case of nonfulfillment of said fine within the time period stipulated by any provision of this chapter.

(b) Punishment in general, inclusive of all fines, penalties, costs and other charges for violation of the provisions and regulations of this chapter.

Police officer: Any officer authorized to direct or regulate traffic or parking or to make arrests for violations of any provisions of law including other traffic and parking laws and regulations and so appointed by any jurisdictional authority.

Posted time limit: The allowable time a vehicle may remain parked in any block, parking area or zone when such parking duration is indicated by signs. For the purpose of this definition, a block shall mean that part of street or highway between two (2) intersections; and a parking area or zone shall mean any group of parking spaces of close proximity within the same parking facility and having the same allowable parking time limit.

Private-public parking facility: Any parking lot, garage or other such facility intended for the off-street parking of motor vehicles and under private ownership and operation which is regulated by county traffic order and posted by official signs. Such facilities whether in whole or in part are open to and used without charge by patrons of retail and commercial establishments and are intended for limited duration parking when so requested by the owner and authorized by

the county executive or his designee by written regulations.

Public contractor's vehicle: Any commercial vehicle engaged in the performance of work within a street, highway or other public property when such work is contracted for by any state, county, or municipal agency or public utility.

Public driveway: Every way or place of public ownership and used for vehicular travel by the general public as vehicular access to publicly owned property whether restricted or not.

Public parking facility: Any parking lot, garage or other such facility owned or leased by and operated by the county for the purpose of providing public off-street parking space for motor vehicles.

Public service vehicle: Any vehicle owned and operated by a municipal, county, state or federal agency and used in the furtherance of public service; and any vehicle funded or provided by the federal, state or municipal government and used for emergency or rescue purposes.

Public utility vehicle: Any vehicle owned and operated by a public utility commissioned by the state, including telephone, gas and electric power companies.

*

Recreational vehicle: A duly licensed and registered vehicle, with or without motor power, which is solely intended for the leisure use of the operator and guests. For the purpose of this Chapter the following is a recreational vehicle:

- (a) motor home;
- (b) travel trailer;
- (c) camper or camping trailer including truck insert or collapsible unit; or
- (d) non-freight trailer, as defined by the State Motor Vehicle Administration, used to transport other leisure equipment such as a boat, horse, motorcycle, show car, race car, snowmobile, or bicycle.

Roadway: That portion of a street or highway or public thoroughfare between the regularly established curb lines or shoulders or that part improved and intended to be used for vehicular traffic.

Sidewalk: That portion of a street between the curb lines, or the lateral lines of a roadway and the adjacent property lines, intended for or used by pedestrians; or designated ways or pavements within a public parking facility intended for or used by pedestrians.

Stand or standing: The halting of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

Stop or stopping: When prohibited means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control sign or signal.

Street: See highway.

Taxicab: Any motor vehicle for hire, designed to carry seven (7) passengers or less, including driver, operated upon any public street or highway, or, on call or demand, accepting or soliciting passengers indiscriminately, for transportation for hire between such points along public streets or highways, as may be directed by the passenger or passengers so being transported; provided that

nothing in this chapter shall be construed to include as a taxicab, a motor vehicle operated with the approval of the public service commission on fixed routes and schedules.

Taxicab stand: That portion of a public roadway edge so designated by official sign as a taxicab stand and intended for the temporary parking of taxicabs when they are available for hire and attended by the driver.

Traffic: All vehicles, pedestrians, animals and any other conveyance of every description, using a highway for purposes of travel whether singly or together.

Unregistered vehicle: Any motor vehicle or trailer except those exempted from registration by state law, which is without registration plates, with expired registration plates or with fictitious registration plates attached thereto.

* *Utility trailer:* A general use vehicle designed to be towed by a motor vehicle. A utility trailer includes a:

- (a) homemade trailer;
- (b) small box trailer;
- (c) freight trailer;
- (d) semi-freight trailer;
- (e) boat trailer;
- (f) camping trailer;
- (g) tent trailer;
- (h) travel trailer;
- (i) flatbed trailer, and
- (j) horse trailer.

Vehicle: Any appliance moved over a highway on wheels or traction tread, including streetcars, draft animals and beasts of burden, automobiles, motorcycles, motorbikes, motor propelled carts and wagons and every vehicle propelled by an internal-combustion engine or any trailer. (1978 L.M.C., ch. 7, § 2; 1981 L.M.C., ch. 40, § 1; 1986 L.M.C., ch. 22, § 1; 2009 L.M.C., ch. 1, § 1; 2010 L.M.C., ch. 47, § 1.)

Article II. Motor Vehicles, Traffic Control and Highways- Generally.

Sec. 31-2. Authority of county executive to erect traffic signs.

Whenever, in the judgment of the county executive, it is necessary for the safety or control of vehicular or pedestrian traffic, he is authorized to provide, by executive order, for the erection of "stop," "speed limit" and other traffic-control signs and devices on public streets, highways or

Montgomery County Code

No vehicle shall be parked in violation of any sign provided for in this chapter or regulation issued pursuant thereto or other official sign, and both the owner or operator thereof shall be subject to the penalties provided for in this chapter for any such violation. (1978 L.M.C., ch. 7, § 2.)

Sec. 31-13. Parking of vehicles during periods of snow accumulation.

(a) During the periods of snow accumulation, the county executive is authorized, upon meeting the notice requirements of section 31-6 of this chapter, to restrict as hereinafter provided the parking of any vehicles on the street and highways of the county for the purposes of facilitating snow removal. Commencing at 7:00 a.m. on the day following the giving of notice by press release, the following restrictions shall be in force, except on Sundays:

(1) No parking shall be permitted between the hours of 7:00 a.m. and 5:00 p.m. on Mondays, Wednesdays and Fridays on the side of any street or highway where the buildings situated thereon bear even street numbers.

(2) No parking shall be permitted between the hours of 7:00 a.m. and 5:00 p.m. on Tuesdays, Thursdays, and Saturdays on the side of any street or highway where the buildings situated thereon bear odd street numbers.

(3) In any block wherein parking is prohibited on one side of the street for the entire block, such parking prohibition shall be suspended during such periods as the other restrictions of this section are operative.

(b) Any vehicle parked and left unattended in violation of the provisions of this section or any order or declaration of the county executive issued pursuant to this section may be removed and impounded as provided in section 31-21 of this chapter. (1978 L.M.C., ch. 7, § 2.)

Editor's note—See County Attorney Opinion dated 10/6/00 indicating that long-term parking on public streets is prohibited in certain circumstances, but not based on the size of the vehicle.



Sec. 31-14. Parking of heavy commercial vehicles, recreational vehicles, utility trailers, or buses.

(a) A person must not park any recreational vehicle or utility trailer on any public roadway except:

(1) for up to 18 hours while actively engaged in loading or unloading passengers, merchandise or materials, or

(2) for up to 48 hours if the vehicle is involuntarily parked because of mechanical failure or other emergency.

(b) A person may park a heavy commercial vehicle or a bus on a public roadway where both sides of the street abut a property zoned for a commercial or industrial use, unless parking is otherwise prohibited by an official sign or other law applicable to all motor vehicles. A person must not park a heavy commercial vehicle or bus on any other public roadway unless it is:

(1) a vehicle engaged in loading or unloading passengers, merchandise or materials;

(2) a heavy commercial vehicle used by the owner or operator when engaged in work on the property abutting the street;

(3) a bus that stops for a period of time, not to exceed 30 minutes, to maintain a schedule at an authorized terminal stand for a bus route operating under a permit from the State Public Service Commission;

(4) a vehicle that is involuntarily parked because of mechanical failure or other emergency for 48 hours or less; or

(5) a public contractor's vehicle as defined in § 31-1. (1978 L.M.C., ch. 7, § 2; 2009 L.M.C., ch. 1, § 1; 2009 L.M.C., ch. 19, § 1; 2010 L.M.C., ch. 47, § 1.)

Editor's note—See County Attorney Opinion dated 10/6/00 indicating that long-term parking on public streets is prohibited in certain circumstances, but not based on the size of the vehicle.

Sec. 31-15. Repairing or leaving vehicles on streets for repairs.

It shall be unlawful for any person, business or corporation to perform service or repairs on a vehicle parked on a public street within the county, or to store or park on any public street, any motor vehicle left in the custody of any business; provided however, that this section shall not apply to emergency service or repairs; vehicle owners performing minor service or repairs on their respective vehicles otherwise legally parked and operative; or the accommodation for the immediate transfer, exchange or removal of a vehicle to or from a garage, repair shop, service or parking facility. (1978 L.M.C., ch. 7, § 2.)

Editor's note—See County Attorney Opinion dated 10/6/00 indicating that long-term parking on public streets is prohibited in certain circumstances, but not based on the size of the vehicle.

Sec. 31-16. Parking over twenty-four hours prohibited.

The parking of motor vehicles and trailers upon the highways, roads and streets in the county for a period longer than twenty-four (24) hours is hereby prohibited; except when not otherwise prohibited adjacent to property lines of owner's residence or business. (1978 L.M.C., ch. 7, § 2.)

Editor's note—See County Attorney Opinion dated 10/6/00 indicating that long-term parking on public streets is prohibited in certain circumstances, but not based on the size of the vehicle.

Sec. 31-17. Parking within thirty-five feet of intersections.

The parking of vehicles and trailers at any time on any improved public street within a distance less than thirty-five (35) feet from nearest curb line of an intersecting public street is prohibited; provided, that the area in which parking is thus prohibited and the curb space so affected shall be so designated by an appropriate sign or by yellow paint; provided, further, that it is the purpose and intent of this section to prevent the obstruction of the vision of anyone approaching an intersection. The term nearest curb line of an intersecting public street, as used in this section, shall be construed so that measurements shall be made from either the point of intersection of the actual curb or curb lines, or in cases of rounded corners from the point at which a straight

SUMMARY of POINTS MADE by COUNCIL MEMBERS
(PREVIOUS COUNCIL – NOVEMBER 17, 2014)

No votes were taken.

Council Member statements:

- 1) Concern that limited overnight parking must be balanced against the need for residents to have somewhere to park
- 2) Simplicity of law required. Concern for home-based business
- 3) Abuse of parking privileges: some have multiple vans, dump trucks
- 4) Can there be a permit process, discretion for variance on certain streets
- 5) Require business license to be displayed on any commercial vehicle
- 6) Special concerns for limousine business
- 7) Designation of specific streets where parking may do no harm or cause obstruction