

Introduced by: Council Present

**AN ORDINANCE AMENDING SECTION 415.170 PARKING BOATS AND BOAT TRAILERS; BY ADDING DEFINITIONS IN SECTION 415.010 AND A NEW SUBSECTION (J) FOR THE PARKING OF CONSTRUCTION VEHICLES, UTILITY TRAILERS, SEMI-TRACTOR TRAILERS AND RECREATIONAL VEHICLES**

Now, Therefore, Be it ordained by the City Council of the City of Berkeley, Missouri, as follows:

**Section 1. Definition.** For the purpose of this section the following definitions shall apply:

- 1) *Recreational equipment* means a camper trailer, pick-up camper (not attached to the truck), motorized mobile home, boat, house boat, boat trailer, equipment trailer, utility trailer, dune buggies, snowmobiles, motorcycles and ATV (all-terrain vehicle), or any similar equipment designed, constructed, or modified for recreational or travel use and otherwise not primarily used for ordinary day to day transportation. Shall comply with Section 410.190, parked no longer than 180 days.
- 2) *Enclosed garage* means a structure which is primarily designed or intended for the storage of vehicles and which, when all accesses to the interior are closed, has the ability to totally shield from view anything stored therein.
- 3) *Utility Trailer* means a vehicle designed to be pulled by a motor vehicle which is used to carry property, or special equipment and that is 15 ½ feet or less in length. Boat trailers are included as utility trailers. Utility trailers that are longer than 16 feet in length are considered industrial vehicles and are regulated as heavy trucks and are not permitted to be parked on city streets or on any residentially zoned property; and, whose body and tailgate consist largely or exclusively of a metal mesh, and wood.
- 4) *Permit required* means a permit must be obtained from the Public Works Inspections County and approved by the City Council before parking any type of trailer or recreation vehicle. Permits are valid for one (1) year for recreation vehicles.

**Section 2. Parking of Construction Vehicles, Utility Trailers, Semi-Tractor Trailers and Recreational Vehicles**

- (a) Except as provided in subsections (c) and (f), no construction vehicles, semi-tractor trailers, box type trucks, or recreational equipment having a gross weight in excess of ten thousand (10,000) pounds, or in excess of twenty-three (23) feet in overall length, shall be parked on any driveway, roadway, or highway on private property within the city or on a designated parking area as described in this section, on private property in a residentially zoned area within the city, except for deliveries, in an emergency, or when moving in or out of a residence or building, but in the latter case, the vehicle or trailer shall not remain parked in excess of twenty-four (24) hours.

- (b) Temporary permits may be granted by the city for the purpose of loading and unloading recreational vehicles. Such permits shall not be granted for periods of more than forty-eight (48) hours.
- (c) Construction vehicles, semi-tractor trailers and recreational vehicles shall not be permanently or temporarily connected to a source of water, electricity, gas, sewer, or other utility facility in the city, and shall at no time be used for living or sleeping quarters in the city.
- (d) Except when engaged in the pickup, towing, or assisting of a motorist in the customary types of services, no tow truck shall be parked on any driveway, roadway, or highway within the City of Berkeley.
- (e) A recreational vehicles, having a gross weight in excess of ten thousand (10,000) pounds, or in excess of twenty-three (23) feet in overall length, may be parked in a residentially zoned area within the city in accordance with the following conditions:
  - (1) A maximum of one (1) recreational vehicle shall be permitted to be parked or stored on a paved driveway or paved designated parking area in a rear yard or side yard, provided that such recreational vehicle is screened from view at normal eye level from any street or from any adjoining lot by fencing, landscaping or other similar device approved by the director of public works. For purposes of this subsection, a recreational vehicle situated on top of a travel trailer required to transport said recreational vehicle (i.e. a boat and trailer) shall be deemed one (1) recreational vehicle. In addition, for purposes of this subsection, a "side yard" and "rear yard" shall be as defined in Sections 400.020.
  - (2) A permit is required from the Public Works Director, Building Commissioner, or Designee; see **EXHIBIT A**.
  - (3) A site inspection is required by the Building Inspector, the property must be free of code violations, before a trailer permit will be considered for approval.
  - (4) The permit application and inspector's findings shall be reviewed by the City Manager and referred to the City Council.
  - (5) The permit shall be approved by the City Council.
- (f) Any recreational vehicle, equipment trailer or recreational equipment maybe parked or stored at any time in an enclosed garage.

**Section 3.** This ordinance shall be in full effect from and after its passage.

1st Reading, this 07<sup>th</sup> day of January 2019

2nd Reading this \_\_\_\_\_ day of \_\_\_\_\_ 2019

3rd Reading, PASSED and APPROVED, this \_\_\_\_\_ **day of** \_\_\_\_\_ **2019**

\_\_\_\_\_  
Theodore Hoskins, Mayor

ATTEST:

\_\_\_\_\_  
Deanna L. Jones, City Clerk

\_\_\_\_\_  
Approved As To Form:  
Donnell Smith, City Attorney

Final Roll Call:

Mayor Hoskins	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Hoskins	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Mitchell	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Williams	Aye	___	Nay	___	Absent	___	Abstain	___
Councilman-at-Large Greene	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Hindeleh	Aye	___	Nay	___	Absent	___	Abstain	___
Vacant	Aye	___	Nay	___	Absent	___	Abstain	___

**“EXHIBIT A”**

**CITY OF BERKELEY  
PUBLIC WORKS INSPECTIONS  
8425 AIRPORT RD  
BERKELEY, MO 63134  
EMAIL: [permitting@ci.berkeley.mo.us](mailto:permitting@ci.berkeley.mo.us)  
PHONE: (314) 400-3713  
FAX: (314) 264-2074**

CHECK ONE  
 NEW  
 RENEWAL

**UTILITY TRAILER PARKING PERMIT APPLICATION**

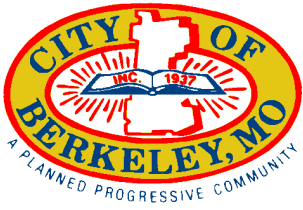
Berkeley Ordinance No. \_\_\_\_\_, passed by the City Council on \_\_\_\_\_, prohibits the parking of any recreational vehicle or trailer that is not permanently registered to a City of Berkeley residence. Permits are intended for temporary parking. Filing of this application does not assure issuance of a permit. Each application will be reviewed by the City and decided upon in a timely manner. Any applicant who knowingly submits false or fraudulent information on this form will be denied a permit and could be subject to law enforcement. All applications must be made and submitted by a Berkeley resident and all vehicles must have a designated purpose (see reverse for conditions) for parking at said address. Proof of residency is also required (valid occupancy permit). By signing the application, the applicant agrees to comply with all applicable laws\* and agrees to remove the vehicle upon expiration of the permit.

Applicant Name (Must be Berkeley Resident):	Registered Owner:	
Applicant Address:	Registered Address:	
Applicant Telephone:	Vehicle License No.:	Registration Mo/Yr.:
Applicant Email:	Vehicle Type: (Check Box) <input type="checkbox"/> RV <input type="checkbox"/> Trailer <input type="checkbox"/> _____	
Berkeley Parking Location (address):	Make, Model, Year:	
Connection to Berkeley Address:	Why must this vehicle be parked in Berkeley:	
Requested Length of Stay:	Requested Dates of Stay:	
By signing this application, I certify that all the information I have provided is true and correct, and that I will abide by all applicable rules, regulations, laws, and conditions.		
Signature of Applicant:	Date Submitted:	
Permit Application Reviewed By:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Council Review Dates Valid: _____ not to exceed 180 days	

***PLEASE NOTE: This permit is valid only on vehicles with a current and legal registration.  
Please see conditions and restrictions on reverse side of this form.***

**City of Berkeley**  
**Application for RV/Trailer Temporary Parking Permit**  
**Conditions and Restrictions**

1. The purpose of this permit is to allow the temporary on-street parking of RVs and trailers that are not registered to a Berkeley address under special and select circumstances.
2. The permit must be obtained by the resident of the Berkeley address in front of which the vehicle will be parked.
3. The vehicle must be operable and have current and legal registration.
4. The vehicle must have a designated purpose or connection to the address for which it is requested.
  - a. A friend or relative from out of the area is visiting the Berkeley resident.
  - b. The vehicle has been borrowed for use by a Berkeley resident.
  - c. The vehicle has just been purchased and the registration has not yet been changed.
  - d. A request that is not covered by a, b, or c will be reviewed by the City Manager for consideration.
5. Permits may be issued for a maximum of 180 days per household per calendar year. Temporary Permits will be issued for a period of 1 day to a maximum of 14 days per permit. After 180 days, the vehicle must be moved.
6. Temporary permits are valid starting 12 midnight on the date issued and expire 12 midnight that day.
7. This permit is valid only for the vehicle to which it is issued and cannot be transferred to any other vehicle.
8. The vehicle must be parked at the Berkeley residence or address indicated on the permit, and the residence must be presently occupied by the Berkeley resident applying for the permit. No permit will be issued to a vacant property.
9. The owner of the vehicle must maintain current license, registration and insurance for the vehicle at all times.
10. The owner of the vehicle must comply with all applicable local and state parking regulations including the City of Berkeley's parking regulation, Chapter 300 or the Code of Ordinances.
11. The owner of the vehicle agrees that the vehicle will be moved for street sweeping. Failure to move the vehicle during street sweeping will result in a citation and cancellation of this permit.
12. Permits are also required for recreational vehicles with disabled placards or plates and owners must also move their vehicle during street sweeping, without exception.
13. Commercial vehicles are not eligible for this permit.



## REPORT TO CITY COUNCIL

### PUBLIC HEARING

TO: The Honorable Mayor and Members of the City Council

FROM: Debra Irvin, City Manager

DATE: December 14, 2018

SUBJECT: **Case No. 18-17 - A request from the City Manager to amend the Zoning Code relating to parking certain types of trailers within the city of Berkeley.**

We have investigated the Subject item, above, and present the following as our findings:

#### **RECOMMENDATION**

Plan recommends approval to amend Section 415.170 by adding new definitions and new subsection (J) For the Parking of Construction Vehicles, Utility Trailers, Semi-Tractor Trailers and Recreational Vehicles.

#### **BACKGROUND**

Staff has been using the incorrect code sections for Recreation vehicles and Utility Trailers.

#### **SUPPORTING DOCUMENTS**

- Staff Report
- Draft Ordinance
- Exhibit A - Permit Application & Instructions

#### **OPTIONS OF THE COMMISSION**

1. –Recommend approval of the applicant’s request.
2. –Recommend denial of the applicant’s request.

#### **PUBLIC NOTICE AND COMMENT**

Public Hearing notification is applicable. Upon recommendation by City Plan Commission to City Council, notices shall be mailed to owners and occupants of property within 185 feet of the site.

Respectfully Submitted,