

That which is underlined is added.

**ORDINANCE NO. 4910**

**AN ORDINANCE AMENDING CHAPTER 114-57 OF THE  
CODE OF ORDINANCES OF THE CITY OF SPRINGDALE,  
ARKANSAS; AND FOR OTHER PURPOSES.**

**WHEREAS**, Chapter 114-57 contains the regulations pertaining to the parking of trailers, utility trailers, and commercial vehicles on residentially zoned property in the City of Springdale, Arkansas;

**WHEREAS**, Chapter 114-57 needs to be amended to address the storage of inoperative/unlicensed vehicles and unsightly/unsanitary conditions on trailers and utility trailers;

**WHEREAS**, Chapter 114-57 needs to be amended to address trailers and utility trailers used in connection with an off-site business being parked or stored on residentially zoned property in the City of Springdale, Arkansas;

**WHEREAS**, it is in the best interests of the citizens of the City of Springdale, Arkansas, that Section 114-57 of the Code of Ordinances of the City of Springdale, Arkansas, be amended to make these changes.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE  
CITY OF SPRINGDALE, ARKANSAS:**

**Section 1:** Section 114-57 of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

- (a) In residentially zoned areas of the city, as shown on the official zoning map, it shall be unlawful to park or leave a boat, recreational vehicle, utility trailer, or trailer or any kind, on any residential lot, except as specifically provided below:
  - (1) A recreational vehicle, all-terrain vehicle, boat, trailer, or utility trailer may be parked or left in the rear yard, not closer than eight feet to the rear lot line or in a side yard not projecting beyond the front roof line.
  - (2) No recreational vehicle, all-terrain vehicle, boat, trailer, or utility trailer may be parked in the front yard between the paved edge of any street and a dwelling or garage (whichever is closer to the paved edge of the street), unless it is parked or left on a garage driveway or other paved surface area which is immediately adjacent to and an expansion of the garage driveway. Further, no recreational vehicle, all-terrain vehicle, boat, trailer, or utility trailer shall be parked closer than ten feet to the paved edge of any street.
  - (3) The total number of recreational vehicles, all-terrain vehicles, boats, trailers, or utility trailers (other than passenger vehicles) which may be parked, as permitted in subsection (1) or (2) above, shall be limited to two, not including those kept in a garage. Further, only one recreational vehicle, boat, trailer, or utility trailer may be parked or stored between the paved edge of any street and a dwelling or garage (whichever is closer to the paved edge of the street).
  - (4) A recreational vehicle, all-terrain vehicle, boat, trailer, or utility trailer shall not be parked or stored where such parking or storage shall constitute a clear and demonstrable vehicular traffic hazard, or be a threat to public health or safety.

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- (5) It shall be unlawful to park a recreational vehicle, all-terrain vehicle, boat, utility trailer, or trailer of any kind, upon a public street, except when it is actually being loaded, readied for use, or unloaded, but in no event longer than 24 hours.
  - (6) It shall be unlawful to use a recreational vehicle or trailer, which otherwise complies with the provisions above, for temporary on premises dwelling purposes for more than seven days total in any continuous 12-month period.
  - (7) The parking of a recreational vehicle, boat, trailer, or utility trailer as described in subsection (2) above shall effect a violation of this section if it results in the parking of other vehicles upon a public street.
  - (8) A trailer, or utility trailer shall not be used to park or store any inoperative or unlicensed vehicle, as defined in Chapter 42.
  - (9) A trailer, or utility trailer shall not be used to park or store any unsightly or unsanitary condition, as defined in Chapter 42.
  - (10) A trailer, or utility trailer shall not be used to park or store any materials, supplies, equipment, or property used in connection with the conducting of a business not located on the property.
- (b) For purposes of sections 114-56, 114-57, and 114-58, ~~and 114-59~~ the following definitions shall apply:

*All-terrain vehicle* shall mean every three-wheeled, four-wheeled, or six-wheeled vehicle 75 inches or less in width, equipped with low pressure tires designed primarily for off-road recreational use, and having an engine displacement of no more than 1,000 cubic centimeters. The term "all-terrain vehicle" shall not include any golf cart, riding lawnmower, or lawn or garden tractor.

*Boat* shall mean all types of watercraft, whether registered, unregistered, licensed or unlicensed. The term boat shall include any wheeled trailer or other device on which such boat is or may be kept, stored, or transported, whether registered or unregistered, licensed or unlicensed.

*Commercial vehicle* means a vehicle that has any of the following characteristics: (1) has a gross vehicle weight, gross vehicle weight rating, gross combination weight, or gross combination weight rating of 20,001 pounds or more or (2) backhoes, bulldozers or other wheeled or tracked vehicles used in construction or (3) regardless of weight, is used in the transportation of waste or hazardous or noxious materials such as but not limited to a garbage truck, pump-out truck, chemical truck, gasoline truck or fuel oil truck. However, commercial vehicle does not include a recreational vehicle as defined herein.

*Front yard area* shall mean the area between the plane of the front elevation of the main portion of a dwelling unit extending to the side property lines and the front property line abutting the street, including the driveway.

*Motor vehicle* means a self-propelled device that is required under the laws of the State of Arkansas to be licensed in order to be operated upon the public roadways, but does not include recreational vehicles as defined herein.

*Park, when prohibited*, means the standing of a vehicle whether occupied or not, otherwise than temporarily for the purpose of or actually engaged in loading or unloading.

*Paved* shall mean a surface paved or covered with a constructed surface of concrete, asphalt, or similar materials, but excluding debris, to establish a

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permanent surface for the parking storage, or placement of any boat, recreational vehicle, or utility trailer.

*Recreational vehicle* shall mean any unit primarily designed as a living quarters for recreation, camping, or travel use which either contains its own motive power as in the case of, but not limited to, motor homes, motor coaches, mini-motor homes, or recreational vans or is permanently mounted on a vehicle such as a truck camper or pickup camper.

*Residential lot* shall mean a parcel of land located in a residentially zoned district, as established on the official zoning map, of at least sufficient size to meet minimum requirements of the district in which it is located. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

- (1) A single lot of record.
- (2) A portion of a lot or record.
- (3) A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.
- (4) A parcel of land described by metes and bounds.

*Store* shall mean to place for the purpose of preserving, protecting and securing it for a period in excess of 24 hours.

*Trailer* shall mean, but is not limited to, any vehicle designed or utilized for the transportation of a boat, automobile, snowmobile, livestock, cargo or similar items or as living quarters for recreation, camping or travel use as in the case of a travel, tent, camp, popup or 5th wheel trailer, which do not have motive power of its own, but is designed to be drawn by vehicle.

*Utility trailer* shall mean a vehicular structure or device with or without its own motive power, licensed or unlicensed, designed and/or used for the transportation of goods or materials.

**Section 2:** All other provisions of Chapter 114 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically modified herein shall remain in full force and effect.

**PASSED AND APPROVED** this 12<sup>th</sup> day of May, 2015.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

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Denise Pearce, City Clerk

APPROVED AS TO FORM:

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Ernest B. Cate, City Attorney