

ORDINANCE # 2015-21

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING CHAPTER 54 TRAFFIC AND VEHICLES, ARTICLE IV STOPPING, STANDING AND PARKING, DIVISION 2 TRUCK, RECREATIONAL AND HIGH PROFILE VEHICLE PARKING IN RESIDENTIAL ZONES AND UPON CITY STREETS, SECTIONS 54-113 AND 54-114 RELATING TO THE PARKING OF RECREATIONAL VEHICLES.

WHEREAS, the City desires to allow individuals to temporarily park recreational vehicles upon streets within the City, subject to reasonable regulations; and

WHEREAS, the City also desires to provide reasonable protection for the public from the safety risks, noise, health risks and other negative results of parking recreational vehicles upon public streets within the City;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Surprise, Arizona, as follows:

Section 1. Chapter 54, Article IV, Division 2, Sections 54-113 and 54-114 of the Surprise Municipal Code are hereby amended as set forth in Attachment A, incorporated herein by reference.

Section 2. All ordinances, resolutions or codes in conflict with the provisions of this Ordinance or the Code adopted by this Ordinance are repealed upon the effective date of this Ordinance.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not be read to affect the validity of the remaining portions thereof.

Section 4. This ordinance will become effective at the time and manner prescribed by law.

[SIGNATURES TO FOLLOW ON THE NEXT PAGE]

PASSED AND ADOPTED this 1 day of December, 2015.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, Interim City Attorney

ATTACHMENT A

There are no changes to Surprise City Code Section 54-115.

Sec. 54-113. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

CURB RETURN MEANS THE CURVED SECTION OF A CURB LOCATED AT A CORNER OF AN INTERSECTION, CONNECTING A CURB ON ONE STREET TO ANOTHER CURB ON THE INTERSECTING STREET. A CURB RETURN STARTS AT THE POINT WHERE THE CURB BEGINS TO TURN TOWARD THE DIRECTION OF THE INTERSECTING STREET AND ENDS AT THE POINT WHERE IT MEETS THE CURB ON THE INTERSECTING STREET.

Front street means the street located in front of a residence.

Recreational vehicle means:

- (1) A portable camping trailer mounted on wheels and constructed with collapsible partial sidewalls that fold for towing by another vehicle and unfolds for camping;
- (2) A motor home or bus designed to provide temporary living quarters for recreational, camping or travel use, and built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis, cab or van that is an integral part of the completed vehicle;
- (3) A park trailer built on a single chassis, mounted on wheels and designed to be connected to utilities necessary for operation of installed fixtures and appliances and has a gross trailer area of not less than 320 square feet and not more than 400 square feet when it is set up, except that it does not include fifth wheel trailers;
- (4) A travel trailer mounted on wheels, designed to provide temporary living quarters for recreational, camping or travel use, of a size or weight that may or may not require special highway movement permits when towed by a motorized vehicle and has a trailer area of less than 320 square feet. This subdivision includes fifth wheel trailers. If a unit requires a size or weight permit, it shall be manufactured to the standards for park trailers in A 119.5 of the American National Standards Institute Code;
- (5) A portable truck camper constructed to provide temporary living quarters for recreational, travel or camping use and consisting of a roof, floor and sides designed to be loaded onto and unloaded from the bed of a pickup truck.

Street means the entire width between the boundary lines of every right-of-way including the improved or unimproved shoulder.

Truck means a vehicle ~~other than a recreational vehicle~~, WEIGHING 18,000 OR MORE POUNDS ~~in excess of 1 ½ tons, or having a height of seven feet, six inches or more or measuring 36 feet or longer in overall length, including a truck and load,~~ OR A COMBINATION OF VEHICLES WEIGHING IN EXCESS OF 26,000 POUNDS, OR A BOX TRUCK OR SEMI-TRAILER CAB .

Utility trailer means a vehicle without motive power, other than a pole trailer or semitrailer, designed for carrying property and for being drawn by a motor vehicle.

Sec. 54-114. - Parking in residential zones and upon city streets are prohibited acts.

(a) No person shall park a truck on any street within a residential zone, except as follows:

- (1) While loading and unloading the truck.
- (2) While services are being provided by the truck's occupant. This does not include any maintenance or service of the truck itself.
- (3) For a period of time not to exceed one hour.

(b) No person shall park a recreational vehicle or utility trailer on any street within a residential zone, EXCEPT IN CONFORMANCE WITH THIS SECTION;. A a person may park a recreational vehicle or utility trailer for a period not to exceed 72 hours up to two times per month, provided;:

- i. the recreational vehicle or utility trailer does not block the driveway of another property owner;
- ii. THE STREET ADJACENT TO THE RECREATIONAL VEHICLE OR UTILITY TRAILER AVAILABLE FOR VEHICULAR TRAFFIC IS NO LESS THAN TWENTY FEET (20') WIDE; AND,
- iii. WHILE PARKED ON THE STREET, A PERSON MAY PERFORM ACTIVITIES NECESSARY TO PREPARE FOR VEHICLE USAGE OR TO CLEAN UP THE VEHICLE UPON RETURN FROM ITS USAGE. Under no circumstances shall any persons be allowed to SLEEP, COOK, inhabit OR PERFORM OTHER ACTIVITIES ASSOCIATED WITH TEMPORARY OR PERMANENT LIVING QUARTERS WITHIN, ON OR AROUND a recreational vehicle while parked on a street.

(c) No person shall park a truck, recreational vehicle, or utility trailer in the front, side, or rear yard of any residence, so that any portion of the truck, RV or utility trailer is closer to the front street than any portion of the residence, unless the truck, RV, or utility trailer

is completely hidden from view in a garage or other permanent structure specifically intended for such use.

(d) NO PERSON SHALL PARK A TRUCK, RECREATIONAL VEHICLE OR UTILITY TRAILER WITHIN THIRTY FEET (30') OF THE CURB RETURN OF AN INTERSECTION. WHILE PARKED ON A STREET IN A RESIDENTIAL ZONE,

(e) NO PERSON SHALL PARK A TRUCK, RECREATIONAL VEHICLE OR UTILITY TRAILER ON A STREET USING A JACK STAND OR SIMILAR SUPPORT DEVICE UNLESS THE PERSON PLACES UNDER EACH JACK STAND OR SUPPORT DEVICE A PIECE OF WOOD, PLYWOOD OR OTHER ITEM OF OTHER CONSTRUCTION THAT HAS A SURFACE OF AT LEAST THIRTY-SIX (36) SQUARE INCHES AND IS CAPABLE OF DISTRIBUTING THE WEIGHT OF THE VEHICLE IN SUCH A MANNER THAT THE UNDERLYING STREET IS NOT DAMAGED OR DISTURBED.