ORDINANCE NO. 2023 – 07

TO REGULATE THE PARKING OF RECREATIONAL VEHICLES WITHIN THE CITY OF CULLMAN

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

SECTION I. PURPOSE. The purpose of this Ordinance is to add restrictions to the parking and storage of recreational vehicles within the jurisdictional boundaries of the City of Cullman.

SECTION II. RECREATIONAL VEHICLES.
The following regulations apply to recreational vehicles parked or stored within the City of Cullman:

1) Recreational vehicles may not be parked or stored on public streets for a period longer than twenty-four (24) hours.
2) Recreational vehicles may not be parked or stored on City right-of-way for a period longer than twenty-four (24) hours.
3) Recreational vehicles shall not be parked or stored in such a manner as to obstruct/block and/or restrict automobile, any emergency vehicle access or pedestrian traffic.
4) Recreational vehicles stored on private property shall be parked or stored within the driveway, side-yard or rear yard, within the building setback lines as defined by the City of Cullman Zoning Ordinance.
5) Recreational vehicles shall not be parked or stored in any front yard, excluding the driveway.
6) Individual recreational vehicles may be stored on private property so long as they are not used as living and sleeping quarters, commercial purposes and are in compliance with the above requirements.

SECTION III. DEFINITIONS**.** For the purpose of this Ordinance words used in the present tense include the future, the singular number includes the plural, and the plural the singular. Words and terms are defined as follows:

1) *Recreational Vehicle*: For the purposes of this Ordinance, a recreational vehicle shall consist of any of the following as herein defined:
    a. A travel trailer is a vehicular portable structure mounted on wheels, of such size or weight as not to require special highway movement permits when drawn by a stock passenger automobile; primarily designed and constructed to provide temporary living quarters for recreation, camping, or travel use.
    b. A camping trailer is a vehicular portable structure mounted on wheels, constructed with collapsible partial side walls of fabric, plastic, or other pliable material for folding compactly while being drawn by another vehicle, and when unfolded at the site or location, providing temporary living quarters; and whose primary design is for recreation, camping, or travel use.
    c. A utility trailer is any trailer small non-motorized vehicle which is generally pulled by a motorized vehicle and features an open-top rear cargo area (bed) and is used for the hauling of light loads.
    d. A truck camper is a portable structure designed to be loaded onto, or affixed to, the bed/or chassis of a truck, constructed to provide temporary living quarters for recreation, camping, or travel use.
    e. A motor home is a structure built on and made an integral part of a self-propelled motor vehicle chassis other than a passenger car, primarily designed to provide temporary living quarters for recreation, camping and travel.
    f. A boat is any recreational vehicle designed or intended for operation on water. Boats and trailers to transport the same shall be considered a recreational vehicle, and subject to the same requirements and restrictions applying to other recreational vehicles.
    g. An all-terrain vehicle (ATV) is every motor vehicle 60 inches or less in width, having a dry weight of 1,500 pounds or less, designed to travel on three or more non-highway tires, and manufactured for off-road use by a single operator or by an operator and not more than one passenger as provided by the manufacturer, and shall be considered a recreational vehicle for the purposes of this Article.

SECTION IV. ENFORCEMENT. Written notice of a violation of this section shall be issued from the City via registered or certified mail to the owner and occupant, if applicable. Violators shall have seven (7) days after receipt of official notice from the City in which to come into compliance with the requirements of this section. A failure to comply, beginning with the eighth day after receipt of official notice, will result in a fine of $100.00, plus all costs and fees imposed by the Municipal Court of the City of Cullman to be assessed against the owner or occupant of the property on which the vehicle is located for each day that the vehicle remains parked in violation of this section, each day constituting a separate violation hereof.

SECTION V. AUTOMOBILES. Nothing contained in this Article shall be construed as prohibiting a person from parking his or her vehicle in the street adjacent to the curb in front of his or her premises, when such parking is not otherwise prohibited, provided the vehicle is moved from time to time as convenience directs, the purpose of this Section being to prohibit the abandoning of a vehicle on a public right of way, alley, municipally owned parking lot, sidewalk, or other public place within the City as defined in the City of Cullman Nuisance Ordinance.

SECTION VI. SEVERABILITY CLAUSE**.** Each and every provision of this Ordinance is hereby declared to be an independent provision and that holding of any provision hereof to be void and invalid for any reason shall not affect any other provision hereof and

it is hereby declared that the other provisions of this Ordinance would have been enacted regardless of any provision which might have been held invalid. This Ordinance repeals any prior Ordinance in conflict therewith.

SECTION VII. EFFECTIVE DATE. This ordinance shall be effective following its passage, approval and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 7th day of November, 2022.

_____
President of the City Council

ATTEST:

_____
City Clerk

APPROVED BY THE MAYOR this the 7th day of November, 2022.

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Mayor