



ORDINANCE 725

AN ORDINANCE OF THE CITY OF THE VILLAGE, OKLAHOMA AMENDING CHAPTER 13, SECTIONS 13-228 AND 13-233 OF THE CODE OF ORDINANCES OF THE CITY OF THE VILLAGE; PERTAINING TO PARKING OF VEHICLES ON UNPAVED SURFACES AND EXTENSION OF PARKED VEHICLES INTO THE STREET; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THE VILLAGE:

Section 1. That Chapter 13, Section 13-228 of the Code of Ordinances is hereby amended to read as follows:

Sec. 13-228. Parking vehicles/farm equipment on paved surface, rights-of-way, etc.

(1) **Definitions.** In this section:

(a) *Vehicle* shall be defined to mean automobiles, boats, vans, trucks, travel trailers, or any other similar type conveyance propelled or towed by motorized power.

(b) *Farm equipment* shall mean any tractor designed and used primarily as a farm implement or any trailer or wagon designed or used for carrying passengers or property and being drawn by animal or motive power.

(c) *Paved surface* shall mean a solid, sealed surface constructed of asphalt, concrete, stone, brick, or other similar material which is designed to adequately support the weight of vehicles using such surface and which is designed to prevent the occurrence of mud and dust with continued vehicular use. Honeycombed concrete, brick, or stone pavers that are designed by the manufacturer for use as a decorative parking surface shall be deemed a paved surface, provided that adequate surface area is provided so that all wheels of the vehicle are parked on such surface. Gravel, loose aggregate or other similar materials that are not bonded together so as to provide a solid, sealed surface shall not be deemed a paved surface.

(d) *Unpaved surface* shall mean a surface consisting of crushed gravel, loose aggregate, or similar material provided as a surface over a compacted base material sufficient to withstand the weight of the vehicle to be parked on it; and sufficiently designed, constructed, or maintained to prevent erosion, rutting, and vegetation.



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(e) *Yard, front* means a yard located in front of the front elevation of a main building and extending across a lot between the side yard lines and being the horizontal distance between the front property line and the main building or any projection thereof, other than steps, unenclosed balconies or unenclosed porches.

(f) *Yard, rear* means a yard extending across the rear of a lot measured between the side yard lines and being the horizontal distance between the rear lot line and the rear of the main building or any projections other than steps, unenclosed balconies or unenclosed porches. On corner lots, the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

(g) *Yard, side* means a yard between the main building and sideline of the lot and extending from the front lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the side of the main building or any projections other than steps, unenclosed balconies or unenclosed porches.

(h) *Front building line* means a line extending from side property line to side property line and being the minimum horizontal distance between the front property line and the front of the main building or any projections thereof other than steps, unenclosed balconies, or unenclosed porches.

(2) **Parking on Unpaved Surfaces.** Except as described in this Section, it shall be unlawful for any person to park any vehicle on any unpaved surface on any residential lot.

(a) Exception for rear yard and side yard behind the front building line of interior lots. No more than one (1) vehicle may be parked on an unpaved surface located in the rear yard, or in the portion of the side yard that is situated behind the front building line, of any residential lot in the city, provided that the following screening and load bearing design requirements are met:

(i) *Screening Requirements.* Any vehicle on parked on any unpaved surface located behind a minimum six (6) foot high sight-proof fence erected so that any vehicle so parked will not be visible from outside the premises.



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(ii) *Design and load bearing requirements.* Any unpaved surfaces upon which a vehicle may be parked pursuant to this Section: (1) must consist of crushed gravel, loose aggregate, or similar material; (2) must be provided as a surface over a compacted base material sufficient to withstand the weight of the vehicle to be parked on it; and (3) must be sufficiently designed, constructed, or maintained to prevent erosion, rutting, and vegetation.

(3) Maximum Number of Vehicles Permitted on a Residential Lot.

(a) Each legal and current occupant of any single-family residence who holds a valid Oklahoma Driver's License shall be allowed to park two (2) passenger vehicles on the lot occupied by said residence provided however, that in no instance shall more than six (6) vehicles be parked in an unenclosed parking area on any residential lot occupied as a single-family residence.

(b) No more than two (2) vehicles may be stored in an unenclosed parking area on any unoccupied or vacant single-family residential property.

(c) Nothing contained in this subsection shall be construed to supersede or negate other parking regulations contained in this chapter, including by not limited to, provisions relating to parking on a paved surface parking in the front, side and rear yards, sight-proof fencing and green area requirements.

(4) Exposure of Unpaved Rights-of-Way to Vehicle Traffic.

(a) It shall be unlawful for any person, firm, or corporation to allow the unpaved right-of-way adjacent to the front or side property line of any lot to be subjected to continued exposure of vehicle traffic so as to create mud, dust, or ruts in said right-of-way.

(b) City street rights-of-way shall not be paved or used for vehicle parking except for ingress and egress driveways or as may otherwise be provided for herein.

(5) Parking of Farm Equipment. It shall be unlawful for any person to park, place, keep, or maintain on any residential lot in the city any farm equipment, regardless of use or purpose, without storing said farm equipment behind a minimum six (6) foot high sight-proof fence so that said farm equipment will not be visible from outside the premises.



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(6) **Parking on Driveways.**

(a) No person shall stop, stand or park upon a paved portion of the right-of-way used for an ingress and egress driveway, except for the purpose of loading or unloading, any vehicle, which by virtue of its length or height, creates a sight restriction for motorists using an adjacent ingress-egress driveway.

(b) No recreational vehicle (RV) or motor home shall be parked so as to encroach on any paved portion of the right-of-way, including a paved portion of the right-of-way used for an ingress and egress driveway. Recreational vehicles or motor homes tagged with a legal and current handicap license plate shall be exempt from this subsection. (Ord. No. 643, §1, 09-15-2009)

(7) **Exemptions.** The following vehicles shall be exempt from the provisions of this section:

(a) Vehicles engaged in the construction and/or maintenance of utilities, buildings, or properties when parking on an unpaved surface is necessary to facilitate the timely completion of the activity and

(b) Vehicles parked at YMCAs, schools, churches or public property during sporting events, carnivals, circuses and similar public events when adequate paved parking space is not available.

(8) **Additional Uses Not Authorized.**

(a) This section shall not be deemed to allow uses in any zoning district where the provisions of any such zoning district do not expressly allow such use.

(b) This section shall not be deemed to authorize the erection of any fence on property that does not conform to other applicable building regulations or area regulations to which the authorized use of the property is subject.

Section 2. That Chapter 13, Section 13-233 of the Code of Ordinances is hereby amended to read as follows:

Sec. 13-233. Vehicles Parked in Driveways; extension into street unlawful.



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It shall be unlawful for any vehicle, boat or trailer, or any equipment or material placed in or attached thereto, parked in a driveway to extend into the street past the curb.

Section 3. Repealer Clause. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. Severability Clause. If any section, subsection, sentence, clause, or portion of this Ordinance is for any reason held invalid or unconstitutional, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance

Section 5. Emergency Clause. WHEREAS, it being necessary for the preservation of the public health, peace, and safety of the City of The Village, Oklahoma, an emergency is declared to exist and by reason thereof this Ordinance shall take full force from and after its adoption.

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF THE VILLAGE, OKLAHOMA, this 20th day of March, 2017, after compliance with the notice requirements of the Open Meeting Law (25 O.S. § 301, *et seq.*).


HUTCH HIBBARD, MAYOR

ATTEST:



Bruce K. Stone, City Clerk

APPROVED AS TO FORM AND LEGALITY this _____ day of _____,
2017.

Leslie V. Batchelor, City Attorney