

ORDINANCE 821

AN ORDINANCE RELATING TO PARKING; ADDING A NEW SECTION TO CHAPTER 10.20 OF THE MUNICIPAL CODE; SUPERSEDING ANY ORDINANCE INCONSISTENT WITH ITS TERMS; AND PROVIDING AN EFFECTIVE DATE AND ENFORCEMENT.

R E C I T A L S:

1. Through the adoption of Ordinance 603, the City provided definitions for use throughout the code, as well as defined conditions under which certain types of vehicles may be parked and utilized upon private property.

2. Since the adoption, situations have occurred which, while not related to zoning, require clarification as to under what circumstances and conditions certain types of vehicles may be parked upon private property.

3. It is the desire of the City in adopting this ordinance to implement regulations relating to the parking and storage of recreational vehicles and other vehicles covered by this ordinance upon private property in such a manner as to authorize such utilization in a manner not creating risks or unreasonably affecting adjoining properties.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY:

SECTION I: There shall be added to Chapter 10.20 of the Municipal Code a new section to read as follows:

The parking and storage of recreational and utility vehicles, as defined herein, upon properties having the zoning classification of residential shall be subject to the following conditions:

A. For purposes of this ordinance recreational and utility vehicles shall include travel trailers, folding tent trailers, motor homes, truck campers removed from a truck or pickup, horse trailers, boat trailers, with or without boats placed thereon, other recreation trailers and utility trailers, boats, motorcycles, snowmobiles, other motorized recreational vehicles, and such other units or vehicles which fall within the definition of a recreational vehicle set out in Section 17.12.010, as now existing or hereafter amended or succeeded.

B. Recreational and utility vehicles may be parked upon properties bearing the residential classification so long as such parking is in compliance with in residential areas and the following conditions are met:

1. They shall not intrude into public right-of-way or obstruct sight visibility from adjacent driveways to the abutting public right of way;

2. They shall not be parked in the front building setback unless there is no reasonable access to the building side

yards or rear yards because of topography or other physical conditions on the site.

3. If parked in the front building setback under the provisions of the prior subparagraph, it shall be parked in a way so as to not obscure the home address. That home address shall be clearly visible from the abutting street.

4. If required by state law, the registration and license of the vehicle or unit parked under the provisions of this ordinance must be kept current for each Recreational and Utility Vehicle stored or parked on premises.

5. The vehicle or unit must be owned or leased by the property owner or the property tenant.

6. The vehicle or unit shall be maintained in a clean, tidy, and well-kept state which does not detract from the appearance of the surrounding area. For purposes of interpretation, "clean, tidy, and well-kept state" would be characterized by order and neatness; free from disorder, disrepair, or such condition as would not be normal for the item.

7. A vehicle or unit stored or parked under the provisions of this ordinance must be in operable condition and be able to move under its own power or be towed or carried by another vehicle.

8. Recreational vehicles equipped with liquefied petroleum gas containers shall meet the standards of the Interstate Commerce Commission. Valves or gas containers

shall be closed when the vehicle is stored, and, in the event of leakage, immediate corrective action must be taken.

C. At no time shall a recreational vehicle or unit parked or stored under the provisions of this ordinance be occupied or used as a permanent or temporary dwelling unit except that guests who travel with a recreational vehicle may reside in the vehicle on the host's premises on a temporary basis not to exceed thirty days per year.

D. No vehicle or recreational unit subject to this ordinance shall be parked or stored on any privately owned vacant property in a residential zone.

E. A recreational vehicle or unit parked in a residential area under the authority of this ordinance shall not be permanently connected to separately metered gas, water, or sewer service, but may be temporarily connected to existing metered water service and electric service for the purpose of maintaining moisture or temperature control within the vehicle.

F. Pickup or light trucks, fourteen thousand five hundred pounds gross vehicle weight rating (GVWR) or less, with or without a mounted camper unit, which are primarily used by the property owner/renter for transportation purposes are exempt from this section.

SECTION II: Any violation of the provisions of Section I shall be subject to enforcement, including the imposition of

penalties, under the provisions of Section 17.40.140 MMC, as now existing of hereafter amended or succeeded.

SECTION III: If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases had been declared invalid or unconstitutional, and if for any reason this Ordinance should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

SECTION IV: This Ordinance shall take effect upon the fifth day following date of publication.

SECTION V: Corrections by the Clerk-treasurer or Code Reviser. Upon approval of the Mayor and City Attorney, the Clerk-treasurer and the Code Reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors, references to other local, state, or federal laws, codes, rules, or regulations, or ordinance number and section/subsection numbering.

PASSED THIS 28<sup>th</sup> DAY OF September, 2016, by the City Council of the City of McCleary, and signed in

approval therewith this 28<sup>th</sup> day of September, 2016.

CITY OF McCLEARY:

Brent Schiller  
BRENT SCHILLER, Mayor

ATTEST:

Wendy Collins  
WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

Dan Glenn  
DANIEL O. GLENN, City Attorney

STATE OF WASHINGTON     )  
                                      : ss.  
GRAYS HARBOR COUNTY    )

I, WENDY COLLINS, being the duly appointed Clerk-Treasurer of the City of McCleary, do certify that I caused to have published in a newspaper of general circulation in the City of McCleary a true and correct summary of Ordinance Number 821 and that said publication was done in the manner required by law. I further certify that a true and correct copy of the summary of Ordinance Number 821, as it was published, is on file in the appropriate records of the City of McCleary.

Wendy Collins  
WENDY COLLINS

SIGNED AND SWORN to before me this 29<sup>th</sup> day of September, 2016, by WENDY COLLINS.



ORDINANCE  
09/22/2016  
DG/le

Lindsay Blumberg  
NOTARY PUBLIC IN AND FOR THE STATE OF  
WASHINGTON, Residing at:  
My appointment expires:

CITY OF McCLEARY  
100 SOUTH 3RD STREET  
McCLEARY, WASHINGTON 98557

**SYNOPSIS OF ORDINANCE NO. 821**

**AN ORDINANCE RELATING TO PARKING; ADDING A NEW SECTION TO CHAPTER 10.20 OF THE MUNICIPAL CODE; SUPERSEDING ANY ORDINANCE INCONSISTENT WITH ITS TERMS; AND PROVIDING AN EFFECTIVE DATE.**

On September 28, 2016, the City Council of the City of McCleary adopted Ordinance Number 821. The intent and purpose of the Ordinance was set forth provisions under which the parking of certain vehicles, including recreational vehicles, is authorized upon private property. The provisions include protection of access, exemptions, and penalties for violation.

A complete copy of this Ordinance is available during regular business hours at the Office of the Clerk-Treasurer, City Hall, McCleary, Washington. The Ordinance will be made available for review without cost; a copy will be provided upon request without cost if such request is timely made. This Synopsis is published pursuant to the laws of the State of Washington.

DATED this 28<sup>th</sup> day of September, 2016.

  
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WENDY COLLINS, Clerk-Treasurer