

ORDINANCE NO. G-11-01

AN ORDINANCE AMENDING CHAPTER 15 (MOTOR VEHICLES AND TRAFFIC), ARTICLE III (STOPPING, STANDING AND PARKING), DIVISION 1 (GENERALLY), OF THE CODE OF ORDINANCES OF THE CITY OF COFFEYVILLE, KANSAS, BY ADDING A NEW SECTION 15-35, RELATING TO THE PARKING OF VEHICLES ON NON-PAVED SURFACES, AND REPEALING ORDINANCE NO. G-06-01.

WHEREAS, the Governing Body of the City of Coffeyville, Kansas finds the parking of vehicles in yards creates a blighting influence and harms the image of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COFFEYVILLE, KANSAS:

SECTION 1. That Chapter 15 (Motor Vehicles and Traffic), Article III (Stopping, Standing and Parking), Division 1 (Generally), of the Code of Ordinances of the City of Coffeyville be and is hereby amended by adding a new section relating to the parking of vehicles on non-paved surfaces to the Code of Ordinances of the City of Coffeyville, Kansas, be and is hereby amended, as follows:

“Sec. 15-35. Parking of vehicles on non-paved surfaces.

(a) It shall be unlawful for any person to park or allow to be parked any vehicle or machinery within the front yard setback area of a residence or vacant lot unless the area used for parking is (1) improved with at least four inches (4”) of paver brick, asphalt, concrete, or gravel over the entire parking area, or (2) meets the definition and requirements of a Driveway as provided in Section 25-84, *et seq.*

(b) For purposes of this section the following definitions shall apply:

(1) *Front yard setback area.* Front yard setback area is defined as the area between the public right-of-way and the parallel front line of the building. In the case of a corner lot, the front yard setback shall be defined as the area between the public right-of-way and the parallel front lines of both sides of the building facing the street. The setback area In the case of a vacant lot, the front yard setback shall be defined as the area between the public right-of-way and the front line of the building on the adjacent lot(s). A drawing depicting the prescribed areas where vehicles and machinery are not allowed to be parked is attached hereto and marked “Attachment A”.

(2) *Vehicle or machinery.* “Vehicle or machinery” shall mean (a) a machine, other than a child’s toy, propelled by power other than human power and designed to travel along the ground by use of wheels, treads, runner or slides and which transports persons or property and shall include without limitation an automobile, racecar, truck, recreational vehicle, motorcycle, tractor (except lawn

tractors with a 30 horsepower or smaller engine) or farm implement; (b) a boat, jet ski, or other watercraft, whether motorized or not; and (c) a trailer holding or containing, or designed to hold or contain one or more vehicles or machinery.

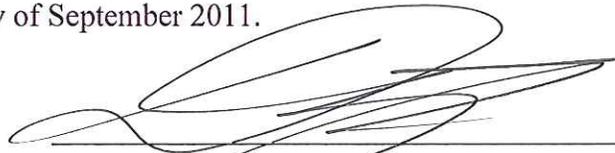
(c) The provisions of this Ordinance shall have no force or effect (1) on federal holidays; (2) as to construction vehicles when such vehicles are being actively used in an on-site construction project; (3) when the vehicle is temporarily parked for the purpose of and while actually engaged in receiving or discharging passengers or personal property; or (4) as to any properly zoned mobile home or RV park.

(d) Any person convicted of violating this Section shall be assessed a fine in the sum of \$25.00. No court costs shall be assessed for a first offense. Upon a second conviction, the fine shall be \$50.00. Upon a third or subsequent conviction, the fine shall be not less than \$100.00 or more than \$500.00. The standard traffic costs shall also apply to all second and subsequent convictions.

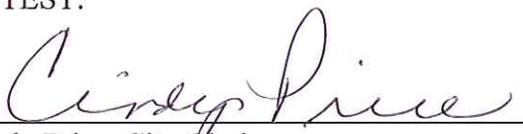
SECTION 2. That Ordinance No. G-06-01 is hereby repealed; provided, however (a) any Variance granted under said Ordinance shall remain in effect through December 31, 2011 and (b) any person having a parking area(s) that complies with the minimum requirements prescribed by G-06-01 shall have until January 1, 2012 to bring said parking area(s) into compliance with the minimum requirements established hereunder.

SECTION 3. This Ordinance shall take effect and be in force from and after its publication, as provided by law.

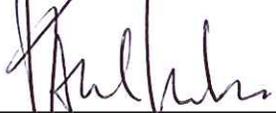
Passed and approved this 27th day of September 2011.


David George, Vice Mayor

ATTEST:


Cindy Price, City Clerk

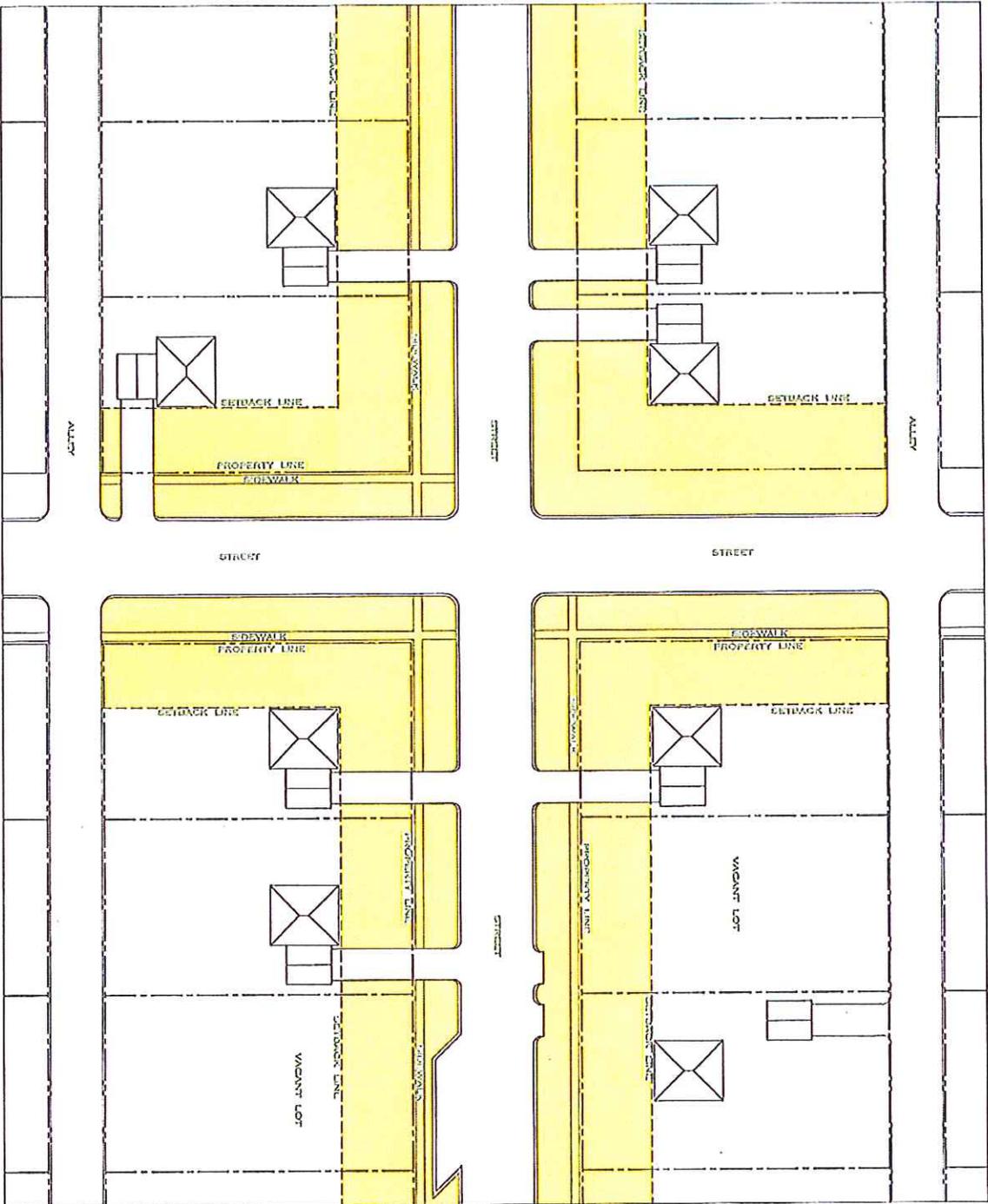
APPROVED AS TO FORM:


Paul Kritz, City Attorney



Published in the Coffeyville Journal on the 30 day of September 2011.

ATTACHMENT 'A'



LEGEND

- NO PARKING AREA 
- BUILDING 
- GARAGE 
- PROPERTY LINE 
- SETBACK LINE 
- DRIVEWAY 