

## ORDINANCE NO. 2018-08

### AN ORDINANCE AMENDING SECTIONS 318-2, DEFINITIONS AND 318-03, SEASONAL USE TRAILERS, UTILITY TRAILERS, ENCLOSED TRAILERS AND CAMPING EQUIPMENT, OF CODE 318, PARKING AND STORAGE OF THE VILLAGE OF ALLOUEZ MUNICIPAL CODE

THE VILLAGE BOARD OF THE VILLAGE OF ALLOUEZ, BROWN COUNTY, WISCONSIN, DOES ORDAIN THAT SECTIONS 318-2 AND 318-3 BE AMENDED TO READ AS FOLLOWS:

#### SECTION 1.

##### § 318-2 Definitions.

As used in this article, the following terms shall have the meanings indicated:

#### **CAMPING EQUIPMENT**

Wheeled vehicles not exceeding 26 feet in length, either motorized or nonmotorized, capable of being moved by their own power or transported by another vehicle, including, without limitation, all classes of motor homes, recreational vehicles, travel trailers, pop-up campers, and such other vehicles which are built and/or manufactured for being readily located to and from temporary recreational facilities and which are designed for human habitation.

#### **DRIVEWAY**

The driveway of the residence only.

#### **ENCLOSED TRAILER**

A nonautomotive vehicle designed to be hauled over the road as a vehicle for transporting something and is enclosed on all sides. This definition includes all types of trailers that are used to transport miscellaneous cargo and material but not suitable for human conveyance or habitation. For the purpose of this article, this is inclusive of enclosed trailers and not utility trailers as defined in this section. Enclosed trailers are not to exceed 20 feet in length.

#### **GENERAL STREET PARKING PROHIBITION**

Parking on the streets of the Village is authorized April 1 through October 31. Parking on the streets of the Village is prohibited from November 1 through March 31. These general standards are subject to modification and are modified where parking or no parking signage is installed.

#### **HARD SURFACE**

A parking or storage area surfaced with concrete, blacktop, porous pavement, bituminous paving, paving brick, patio block, and other like materials which is sufficient to support the size and weight of the item to be parked or stored.

#### **MOTOR VEHICLE**

A self-propelled device used or intended to be used for the transportation of freight or passengers upon a street or highway or off road.

#### **OWNED/MAINTAINED**

Vehicles and equipment encompassed by this article must be owned, commercially leased, or commercially rented by a person who is a permanent resident at the subject

address, and such permanent resident must, upon demand by any law enforcement officer or authorized agent of the Village, produce satisfactory documentary evidence thereof.

## **OWNER**

An individual, firm, partnership, association, corporation, governmental agency, or combination thereof holding legal title and/or otherwise owning the particular vehicle and/or equipment in question.

## **PROPER WORKING CONDITION**

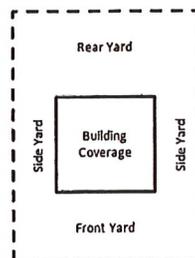
Licensed as appropriate and/or required and mechanically and/or functionally operable for the purposes intended, to include, without limitation, tires inflated and properly working safety equipment as intended by the manufacturer. No vehicles and/or equipment subject to this article may have the wheels removed and placed upon block, except for repair purposes which shall be accomplished as expeditiously as reasonably practicable.

## **SEASONAL USE TRAILER**

Trailers designed for the storage and transport of watercraft, motorcycles, all-terrain vehicles and snowmobiles.

## **SIDE YARD**

A section of the yard that extends between the front line setback of the main building and the rear line setback of the main building and from the side of the main building to the side lot line.



## **TENT**

A portable structure made of skins, canvas, plastic, or like material and supported by poles or a frame secured by ropes fastened to stakes or pegs in the ground.

A tent structure shall not be used for storage purposes. A tent is for temporary uses only and can only be up for a max of 4 days.

## **UTILITY TRAILER**

An unenclosed nonmotorized wheeled piece of equipment with a cargo surface, not exceeding 10 feet in length and six feet in width, designed to be hauled over the road and which is used periodically and on a temporary basis to transport brush, equipment, cargo and other materials, and which is not used for the permanent or semipermanent storage of the same, and which is not suitable for human conveyance or habitation.

## **WATERCRAFT**

Any boat, vessel or craft designed specifically for movement on the surface of the water.

§ 318-3 **Seasonal use trailers, utility trailers, enclosed trailers and camping equipment.**

- A. Parking restrictions and exceptions. The parking of seasonal use trailers, utility trailers, enclosed trailers and camping equipment, as defined in § 318-2 of this article, shall not be allowed in the front, side or rear yard of any residentially or commercially zoned property, whether or not enclosed or fenced, with the following exceptions and conditions, and then only on a hard surface as defined herein:
- (1) Seasonal use trailers for motorcycles shall be permitted to park in the driveway or side yard from March 1 through November 15. Seasonal use trailers for watercraft shall be permitted to park in the driveway or side yard from March 1 through November 15. Seasonal use trailers for snowmobiles shall be permitted to park in the driveway or side yard from November 1 through March 31. Seasonal use trailers for all-terrain vehicles shall be permitted to park in the driveway or side yard year round, provided that the all-terrain vehicle is actually being used as opposed to parking merely for storage purposes. No watercraft, snowmobile, or all-terrain vehicle shall be stored in the driveway or side yard of a residentially or commercially zoned property as herein permitted except upon a seasonal use trailer. In the event that the seasonal use trailer is not being utilized for the storage of watercraft, motorcycles, all-terrain vehicles or snowmobiles and is otherwise empty, it may be stored in the driveway or side yard year round.
  - (2) The Village Administrator has the authority to adjust the dates forward for parking of seasonal use trailers based upon weather conditions.
  - (3) Camping equipment may park in the driveway or side yard of residentially zoned property from March 1 through November 15. Pop-up campers not exceeding 20 feet in length shall further be allowed to park in the side yard of a property on an annual basis provided that the pop-up camper is in a closed position, except when utilized for living and sleeping purposes as provided for in this article.
  - (4) Vehicles, machinery and equipment used for construction activities shall not be stored or parked on residential or commercial zoned property except during the course of ongoing and continuously progressing construction activities at that property.
  - (5) One utility trailer may be parked in the driveway or rear or side yard of a residentially zoned property year round and need not be on a hard surface.
  - (6) Nothing herein shall limit or otherwise affect a resident's ability to store any seasonal use trailer, utility trailer, enclosed trailer and/or item of camping equipment entirely within the confines of the resident's garage or other permitted accessory structure.
  - (7) All seasonal use trailers, utility trailers, enclosed trailers, and camping equipment permitted for parking under this article shall not park within four feet of the lot line or required Zoning Code setback, whichever is greater. In addition, no such items shall be permitted to park more than 10 feet from the primary structure housed on the lot measured to the furthest point away from the structure.
  - (8) The parking of more than two seasonal use trailers, enclosed trailers, utility trailers, and/or items of camping equipment simultaneously on a residentially or commercially zoned property is prohibited. Any two such items cannot be stored in the same lot location together unless one of them is a utility trailer. This quantity limitation shall not apply, and there shall not be counted, any such item(s) parked and/or stored entirely within the confines of the resident's garage or other permitted accessory structure.
  - (9) Enclosed trailers are permitted to be parked in the driveway or side yard year round.

B. Living and sleeping purposes. Use of camping equipment for living or sleeping purposes is permitted on a temporary basis in residential zoned districts only under the following conditions:

- (1) Such use of camping equipment shall only be permitted on premises with an existing house and not on a vacant parcel of land.
- (2) No monetary gain shall be realized by the property owner.
- (3) The vehicle must be parked on a hard surface no closer than four feet to any lot line or the required setback, whichever is greater.
- (4) The parking area for "A" residential lots are the property owners designated driveways that lead to a garage. No other parking areas would be allowed in the front yard.
- (5) The combined use of any camping equipment for temporary living and sleeping purposes may not exceed 10 days within any calendar year.
- (6) The use of internal combustion engines is not permitted for generation of electricity.
- (7) For purposes of this subsection only, such camping equipment need not be owned/maintained by the Village resident.

C. Owned/maintained and proper working condition. All vehicles and equipment subject to this article shall be at all times owned/maintained and be in proper working condition and have necessary safety equipment and accessories also in proper working condition as required by law. By the act of parking vehicles or equipment on his property or Village streets as provided herein, the property owner does thereby grant to any law enforcement officer, or authorized agent of the Village, express consent to enter upon such property without notice for the purpose of inspecting and verifying that any vehicles or equipment parked thereon are in compliance with this article.

D. Street parking. Except as hereinafter provided, no owner shall park or leave standing any seasonal use trailers, utility trailers, enclosed trailers, camping equipment, and/or any other item of machinery or equipment which is designed to be towed behind a motor vehicle, regardless of whether or not it is properly hitched, coupled or secured to a motor vehicle, upon any Village street, alley or public way. Nothing contained herein shall be deemed to modify, alter or change the general street parking prohibition established by separate Village ordinance.

E. Vision triangle/obstruction. All seasonal use trailers, utility trailers, enclosed trailers, and camping equipment shall not be parked on the property or on any Village street so as to block line of sight for general vehicular traffic or otherwise cause a "blind spot" for other drivers backing their vehicles onto or driving upon any Village street, alley or public way. Parking on a sidewalk or the blocking of sidewalk access is prohibited.

F. Unloading. Except as provided herein, camping equipment shall not be parked on residentially or commercially zoned property or on the streets, alleys or public ways of the Village of Allouez, except for the purposes of loading or unloading, cleaning or maintenance for a period not to exceed 72 hours.

G. Manufactured homes. Nonmotorized vehicles built for semipermanent or permanent human habitation, commonly referred to as "manufactured homes" or "house trailers," regardless of size or configuration or whether the wheels are removed, shall not be parked and/or stored on any residential or commercially zoned property or on any

Village street, alley or public way.

- H. Parking conditions. All seasonal use trailers, utility trailers, enclosed trailers, and camping equipment shall be kept clean and free of debris, litter, rubbish and any waste materials as defined in Chapter **432** of the Village Code. This includes all areas in and around where the seasonal use trailer, utility trailer and/or camping equipment is parked or stored, to include, without limitation, the cutting and trimming of grass around the storage site, removal of weeds, and the preventing of gouging or rutting of the grass and lands of the property in moving the seasonal use trailer, utility trailer and/or camping equipment to the intended parking or storage location.
- I. Other parking restrictions. No person, firm or corporation shall park, or allow or permit to be parked, stopped, or left standing, any seasonal use trailer, utility trailer, enclosed trailer, camping equipment, or any other machinery or equipment which is designed to be towed behind a motor vehicle, regardless of whether or not it is properly hitched, coupled or secured to a motor vehicle, upon a Village street, alley or public way, except as follows:
- (1) Construction sites. This Subsection **I** does not apply to trailers, machinery and equipment of a person, firm or corporation which is engaged in improvements to real estate in close proximity to where such trailers, machinery and/or equipment is parked, stopped, or standing, and such trailers, machinery and equipment are then being used in the construction of such improvements while actively and continuously progressing, and the presence of the same is properly known to travelers upon the street, alley or public way by lighted warning lights, reflectors, and/or barriers of suitable size and brilliance, and which have been placed in a suitable location in keeping with Village ordinance.
  - (2) Loading and unloading. This Subsection **I** does not apply to seasonal use trailers, utility trailers, enclosed trailers, and/or other machinery and equipment which is temporarily stopped, standing or parked for the purpose of being, and while actually engaged in being, loaded and/or unloaded, provided that it is then hitched, coupled or secured to a motor vehicle which is then currently licensed to be operated on a public highway.
  - (3) Hooking up and delivery. This Subsection **I** does not apply to seasonal use trailers, utility trailers, enclosed trailers, camping equipment and/or other machinery and equipment which is temporarily stopped, standing or parked for:
    - (a) The purpose of being hitched, coupled or secured, or being unhitched, uncoupled or unsecured, to or from a motor vehicle which is currently licensed to be operated on a public highway and is present on such street, alley or public way, and is then attended by a person who is then licensed to operate the vehicle;
    - (b) The purpose of being delivered to the premises for storage or use, or removed from the premises for storage or use, all for a reasonable period of time; and
    - (c) Emergency purposes for as long as the emergency exists.

**SECTION 2.** All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

**SECTION 3.** This ordinance shall take effect upon its adoption and publication.

Approved and adopted this 15<sup>th</sup> day of May, 2018.

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James F. Rafter, Village President

ATTEST:

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Debra M. Baenen, Village Clerk-Treasurer

DATE OF PUBLICATION: \_\_\_\_\_